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LIFE AND TIMES
OF
DANIEL O'CONNELL,

WITH
SKETCHES OF HIS CONTEMPORARIES.

COMPILED FROM THE WORKS OF
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ETC. ETC.

VOLUME I.

DUBLIN :
JOHN MULLANY, 1 PARLIAMENT-STREET.
1867.

94158

Q. 552

v. 1

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LIFE, TIMES,
AND
SOME OF THE CONTEMPORARIES
OF
DANIEL O'CONNELL.

“Let us remember—that we may hope.”—*Shiel*.

IN every period of recorded time—on every point of geographic space, the human race, though differing on every other question, have been unanimous on one subject. Successful patriots who broke the shackles of oppression and rescued their compatriots from the degradation of thralldom, have been unanimously placed in the foremost ranks of illustrious characters. So widely is this feeling diffused that a reverence for patriotism seems to be an inalienable attribute of the entire human family. In every clime and in every century the halls of military commemoration and the joyous festivals of peace, the solemn processions of triumph and the standards of national war—nay, the very temples of the Divinity have blazed with the imperishable names of successful patriots. They are ever respected and frequently commemorated. For them the chisel of the sculptor and the pencil of the painter have been passionately employed in their noblest creations. The lyre of the poet resounds and the eloquent page of the historian glows with an enthusiastic sentiment of loving reverence for successful patriotism. The eager solicitude of national gratitude festoons the furrowed brows of their venerated statues, with the freshest garlands of dewy spring and the brightest roses of laughing summer, and anniversary music swells the commemorative pomp of their historic triumphs with the harmonious thunder of national anthems; while the snowy hand of youthful beauty enwreaths their venerated monographs with the warlike laurel and the festive myrtle. Why is this? What is the origin of this general homage? Why does Switzerland revere its Tell, and Ireland its Brian Boru? Why is Alfred honoured in England, Bruce in Scotland, and Washington in America? Why for them is earth vocal and full hearts

teeming with loving sympathy and admiration? What is the reason of all this?

One incontrovertible circumstance originates this anthemnal chorus, a universal and deep-rooted conviction which cannot be eradicated—that the loss of freedom is the direst calamity that can overwhelm an unfortunate people—that want, disgrace, and misery are the inseparable concomitants of subjugation, and that the iron chain of slavery is incompatible with the golden current of prosperity, industry, and even of life.

There is nothing in the experience of man—in the records of history, so painful as the humiliation—the torture of feeling which originates in the subjection of one people to another. The subject race can never be persuaded that they are governed by the sovereign; they are made to feel in every member that they are ruled by a faction—slaves to a more favoured class, to whose advantage all their interests are sacrificed. Hence the admiration which O'CONNELL excited in his countrymen—hence the loud jubilation of his triumphs—hence the long pomp of his exulting and multitudinous processions—hence the huzzas which preceded and the shouts of rapture which followed his car—hence the enthusiastic homage which he received and the popular power with which he was invested—and hence the world-wide renown which crowned him like a diadem, and made him the observation and the gaze of Europe, America, and the world.

All this originated in the matchless oppression of his unfortunate people—in the conviction which they felt that their best interests were sacrificed to the gratification of an envious but favoured people, and in the grinding operation of the emaciating laws which ruthlessly tore asunder the holy ties of nature, the sacred charities of kindred, and the consecrated bonds of civil society, and outraged our common humanity in the person of every native Irishman. Yes; by the elaboration of that penal chain—the links of which have been rent to pieces by the giant hands of O'Connell—youth and inexperience were entrapped by cunning, when they could not be compelled by violence. It was deplorable, but unquestionable, that selfishness, fickleness, and libertinism—the basest principles of human nature—were conjured up like demons to arm the son against the father, dissolve the concord of brothers, and melt away the tender and sacred attachments of husband and wife—to reward the ungrateful and encourage the profligate. The Catholic who held property was forced to look round him with circumspection, to watch with caution, and arm himself at every point—

not against the open violence of the Protestant, but against the legalised treachery of his wife, his children, or his kindred. It was a deplorable state of things. Should the affections of his family render the Catholic secure at home, the impulsive hospitality of his generous nature left him open to the wily malice of the crawling informer, who entered and smiled on him but to betray him, and shared the viands on his board but to rob him of the shelter of a roof—a “bill of discovery” might descend on him like an avalanche, and leave him perfectly naked—strip him in a moment of everything he possessed. Not content to shut in his face the door of every public office, oppression as mean as it was cruel crawled into the bosom of his family to poison his peace, and deprive him of the consolations and comforts of domestic life. The distracted Catholic often saw his children torn from his loving arms, to be educated *at his expense* in a religion which he abhorred. Should the Catholic, with a view to religious instruction, shelter a priest or friar in his house, he was harassed with pecuniary penalties for the first offence, and subjected for the third to the confiscation of all his goods, chattels, and freehold property. In Ireland Catholic schools were prohibited; and if educated abroad, the Catholic, when he came home, was liable to serious disabilities.

If the dissolute son of a wealthy Catholic professed himself a Protestant, the profligate and unnatural boy was immediately embraced, rewarded, and enriched, by a demoralizing government, with a third of his parents' wealth—and this though the wretched lad were only in his fourteenth year.

Not content with these odious measures of irrational tyranny, the legislature went still farther. They prepared two bills which may perhaps be paralleled in Protestant Sweden, but whose atrocity could hardly be matched in any other part of the world. These bills proposed that every priest in Ireland should be emasculated; and if found subsequently in the kingdom, he should be put to death. Father Hannegen, writing in *Morreri's Dictionary*, tells a curious anecdote relative to these bills. He says that the Duke of Orleans was at that time Regent of France, and that an Irish deputy, with the view of averting from the Irish Church this cruel visitation of barbarous intolerance, waited on his Highness, and besought his protection and good offices with the British court in behalf of the Irish Catholics, then suffering the most horrible persecution. The Duke of Orleans received the deputy with exquisite politeness; his Highness was winning, cordial, and frank, but at the same time he hinted, with a smile, that he feared

he should interpose in behalf of persecuted Catholics with a very bad grace—very awkwardly indeed—if Protestant subjects were suffering persecution at the hands of Catholic governments. He thought that Protestants living in Catholic countries had quite as good a right to toleration as Catholic subjects under a Protestant crown. The Irish deputy, a man of brilliant talents, requested his Highness's permission to make a slight distinction, which he hoped would show plainly the disparity which separated the two cases. "I shall feel great pleasure," replied his Highness, "if you will be good enough to instruct me on a matter which is at present, I confess, perfectly unintelligible to my poor understanding." The Irish deputy then pointed out with great felicity of illustration, the wide difference which, in all ages of the world, the legislation of all nations had recognized between those quiet people who, in their *own country*, peaceably follow the tranquil tenor and ancient faith of their fathers, and those restless fanatics who perversely invent a new and fantastical religion of their own. Not content with invention, the innovators in some instances advanced to coercion, and laboured to force with violence on the acceptance of others their theological crotchets. The propagation of a new creed might be compared to the construction of a new road, which cannot be run through private property without the approval of owners and the sanction of the authorities. The preservation of order was the object for which government was instituted, and this order, the alarming and portentous forms which fanaticism assumed (as in the case of the Anabaptists of Germany) often jeopardised and sometimes overturned. There could be no parallelism, he ventured to assert, between the case of Catholics who, in their *own country*, quietly pursued the hallowed road of their tranquil and majestic Church, and those frenzied or pragmatistical sectaries who broke into the vineyard and trampled down its graceful arrangements, and were only too ready to climb to the bad eminence of notoriety on a mountainous pile of the ruins of society.

"Under the iniquitous laws enacted against Catholics," said O'Connell himself, speaking to his secretary, O'Neil Daunt, "it was not sufficient that a man born of Catholic parents should merely profess Protestantism; it was also necessary that the convert should go through the legal forms of abjuring 'Popery,' and receiving the sacrament in some Protestant church. I heard of a very curious case, in which the son of Catholic parents, early in the last century, entered Dublin

College professing to be a Protestant. His talents in due time procured for him a fellowship, from which he retired upon a rich college living. He amassed great wealth, bought an estate, and left it at his death to his son; when behold, a bill of discovery was filed against the son, as inheriting from a man *who in the eye of the law had been a Papist*, inasmuch as he had never made a formal, public, legal abjuration of Popery. So that the Anglican parson, the F.T.C.D., the rector of a college living, who had been in Anglican orders for thirty or forty years of his life—this man, notwithstanding all his Protestantism, was legally a Papist, because he had omitted the performance of some legal formula.

“It often happened, too, that points of objection to the legal Protestantism of apostates were raised by reason of inaccuracy in the certificate of the apostate's abjuration. These certificates often bore that the conforming party had received the sacrament *during* divine service; whereas the sacrament in the Anglican Church is administered, not during the service, but after it. There were frequently needy but dishonest persons to watch for and pounce upon flaws of this sort.*

“The temptation to apostatise,” continued O'Connell, “was strong, and alas! was too frequently yielded to. There was a Mr. Myers, of the County Roscommon, who was threatened that a Bill of Discovery should be filed against him. He instantly galloped off to Dublin in a terrible fright, and sought out the Protestant archbishop. The archbishop examined him upon the points of difference between the two churches, and found that he knew nothing at all about the matter. He accordingly said he could not receive him into the Anglican Church unless he should get some previous instruction; and politely offered to commit him to the care of the Rector of Castlerea, who chanced to be in Dublin at the time. This proposal delighted Mr. Myers, for the rector had long been a hunting and drinking companion of his own in the country. With the rector the pious convert arranged to dine every day until the ensuing Sunday—upon which day it was absolutely necessary the recantation should be publicly made. Myers and the rector had a jovial booze—six bottles each at the least—and their jollification was repeated each day until Sunday; when the archbishop, on receiving an assurance from the jovial rector that Myers was *au fait* at the theology of the case, permitted him to make his solemn public abjuration of the errors of Popery and to receive the Protestant sacrament. In

* “Personal Recollections of O'Connell.”

order to celebrate the happy event the prelate invited Myers and several zealous Protestant friends to dinner. When the cloth was removed his grace thus addressed the convert: 'Mr. Myers, you have this day been received into the true Protestant Church. For this you should thank God. I learn with pleasure from the Rector of Castlereagh that you have acquired an excellent knowledge of the basis of the Protestant religion. Will you be so kind as to state, for the edification of the company, the grounds upon which you have cast aside Popery and embraced the Church of England.' 'Faith, my lord,' replied Myers, 'I can easily do that; the grounds of my conversion to the Protestant religion are two thousand five hundred of the best *grounds* in the county Roscommon.' '*

It seems strange to find nations which act with consummate prudence in their own affairs, thus apparently bereft of common sense and common humanity when managing the affairs of their neighbours. From this mismanagement it may be inferred that no nation has been endowed by Providence with sufficient judgment and capacity to rule another nation so as to benefit the subject race. Every page of the British statute book relating to Irish affairs seems to establish this conclusion. The passion for power is accompanied by a passion to make it felt; and while they mantled their own country with prosperity and opulence, British legislators spread misery, ruin, and famine over the subjugated island. It was in Ireland then, as in Poland in more recent times. There was a blight on everything—no genius could flourish—no enterprise succeed, and the sons of Ireland were invariably unhappy and unprosperous until they learned to be faithless. Depression and apathy, like a funeral pall, shrouded the land, and the dead sluggishness of the fallen people resembled the mute immobility of a corpse. Every public effort seemed to fall under the withering influence of an evil demon which malignantly delighted to thwart and baffle the struggles of patriotism and disappoint and frustrate industrial exertion. After but a few fitful throes or spasmodic gesticulations, which the presence of some patriotic leader momentarily produced, the body which rose painfully for a second, fell helplessly back into the heavy somnolence of dreamless torpidity. Enterprise was paralyzed or crippled by an unaccountable incapacity which seemed miraculously at variance with the native character of the subjugated race. The national mind had become tame, cringing, and cowardly, and the moral character

of the community seemed base, servile, and emasculate. Youth was stripped of its daring buoyancy and old age of its reverend wisdom. Every heart seemed melancholy with despair, and every cheek saddened with the settled gloom of dissatisfaction. Instead of the boisterous song of triumph, a tremulous wail reached the ear in querulous and half-audible murmurs. To no purpose had nature lavished in boundless profusion her richest treasures on the downcast community—given loveliness and purity to the women—valour and eloquence to the men. Drooping in the unwholesome air of subjugation, these flowers produced but shrivelled and scanty fruits. The very fields—as in 1740—owing to what is the worst result of subjugation, the absence of security, often lost their fertility and bitterly thwarted the hopes of the disappointed agriculturist with half a harvest; and the elements, by some inscrutable dispensation of Providence, ravishing fecundity from the fields and sustenance from man, seemed to have entered into a tacit league with the stranger, to overwhelm with destruction or sweep from creation the remnant race of the ancient Gaels, trembling, silent, and prostrate under the oppressive storm of unparalleled tyranny.

In every district in Ireland the disastrous and inevitable results of penal legislation were conspicuously visible when O'Connell was born. It was the misfortune of Ireland to be subjected—not to a monarch—not to a republic, but to a form of government more heartless, grinding, cruel, and rapacious than any in existence—namely, a hereditary aristocracy. A greedy band of voracious freebooters, nicknamed Undertakers, the aristocratic heirs of the terrible confiscations, *undertook* the management of Ireland, and were the volunteer stewards of this miserable draw-farm, in which they built *ergastulæ*, and constructed gibbets and hoarded plunder, insulting the crown by their arrogance, and trampling on the people in their cruelty, but doing nothing whatever to improve or benefit the nation at large. Indeed they were only allowed to govern the country because they had the strongest motives for keeping it down. These worthless men had reduced Ireland to a degradation which might be equalled, but could not be surpassed by the degradation of the Greeks writhing and bleeding under the heel of the ferocious Mahometans. Never in the whole history of the world was the aspect of a nation more hopeless and gloomy, more helpless and disheartening than that of Ireland on the eve of the event which was destined to shed the first gleam of sunshine over the sepulchre of this Lazarus of the

nations. Never was apathy more intense—never was despair more sickening and profound. The heart of the nation seemed literally broken. But we should never despair of the fortunes of a country to which the prophecies of our saints have predicted a glorious future. We should cherish the consolation of that Hebrew proverb which has often chequered with the radiance of hope the gloomiest fortunes of an outcast people :

“When the tale of bricks was *doubled*—Moses came.”

Daniel O'Connell was born on the 6th August, 1775. In a letter dated 17th July, 1828, he himself tells us, addressing the editor of the *Dublin Evening Post*, “It is right to be accurate even in trifles.” He then goes on to say that a paragraph had appeared in the journals which he was desirous of contradicting. “It contained two mistakes—it asserted that I was born in 1774, and secondly, that I was intended for the Church. I was not intended for the Church. No man respects, loves, or submits to the Church with more alacrity than I. But I was not intended for the priesthood. It is not usual with the Catholic gentry in Ireland to determine the religious destiny of their children; and being an eldest son, born to an independence, the story of my having been intended for the Church is a pure fabrication. I was not born in the year 1774. Be it known to all whom it may concern that I was born on the 6th of August, 1775, the very year in which the stupid obstinacy of British oppression *forced* the reluctant people of America to seek for security in arms, and to commence that bloody struggle for national independence which has been in its results beneficial to England, whilst it has shed glory and conferred liberty, pure and sublime, on America.”

The subject of our biography was the son of Morgan O'Connell, a gentleman who resided within a short distance of a town which has been rendered famous by its proximity to the birthplace of an illustrious man—Cahirsiveen.* The Irish are

* It was of this town of Cahirsiveen that the “*Times*’ Commissioner” said in after days : “There is not a pane of glass in the whole town,” to which O'Connell replied with the racy humour which characterised him : “If the commissioner had as many *pains* in his belly, his tongue would be more veracious and his wanderings less erratic.” In a satirical poem written by Aongus Daly on the famous astrologer, Dr. Whaley, so well described in the “History of Dublin” by Mr. Gilbert, a line occurs which seems to illustrate the name of Cahirsiveen,

“’S an éapleac Sífceinn éoir rífe beara.”

This line may be translated, “The sybil Sivin near the road of Beara.” The town of Cahirsiveen may have taken its name from this druidess or sybil; if so, *Cahirsiveen* may be translated “the seat of Sivin.”

a prolific race, and have ere now alarmed their "pale" oppressors by the stealthy and noiseless increase of their augmenting numbers—swarming in frightful and growing multiplicity like the tide waves surging and weltering round the tyrant's footsteps. This attribute of our race was exemplified in the O'Connell family. The uncles and aunts of Daniel O'Connell were twenty-one in number. His grandfather had twenty-two children, his father ten. O'Connell's own words on the subject of his family, as given by O'Neill Daunt in his "Personal Recollections," are, "My grandmother had twenty-two children, and half of them lived beyond the age of ninety.....Old Maurice O'Connell of Darrynane pitched upon an oak tree to make his own coffin, and mentioned his purpose to a carpenter. In the evening, the butler entered after dinner to say that the carpenter wanted to speak to him. 'For what?' asked my uncle. 'To talk about your honour's coffin,' said the carpenter putting his head inside the door over the butler's shoulder. I wanted to get the fellow out, but my uncle said: 'Oh! let him in, by all means. Well, friend, what do you want to say to me about my coffin?' 'Only, sir, that I'll saw the oak tree your honour was speaking of into seven-foot plank.' 'That would be wasteful,' said my uncle. 'I never was more than six feet and an inch in my vamps, the best day I ever saw.' 'But your honour will stretch after death,' said the carpenter. 'Not eleven inches, I am sure, you blockhead! But I'll stretch, no doubt, perhaps a couple of inches or so. Well, make my coffin six feet six, and I'll warrant that will give me room enough.' "

Of the uncles of O'Connell, the most remarkable was General Count O'Connell, who served in the Irish Brigade. It is alleged that another illustrious Irishman, Chevalier Fagan, extended the hand of patronage to General Count O'Connell, when in early youth—a raw boy, fourteen years of age—he entered the French army. It seems at least certain that in after life a warm friendship subsisted between the two military exiles. This is the more likely as it was not only by their prowess in the field, but by their friendliness to one another, that the exiled Irish—who went eastward (into Europe) with the firelock, as they now go westward (to America) with the spade—attained rank, honour, and promotion in the continental armies.

By emigrating to France O'Connell's uncle procured what was denied him in Ireland, an ample field for the exercise of his abilities. To him, as to thousands of Irishmen, France

threw open the career for military talent. He was one of those Irish "adventurers of honour" who, as Willis says, "are to be found in every country of Europe,"* and of whom we may confidently assert, with Dr. O'Connor, "They were to be seen, whether in ecclesiastical, military, or mercantile capacities, triumphing over indigence and rivalling the most illustrious geniuses of France, Spain, Italy, and Germany—and this without riches to command notice or foreign patronage to create esteem." By those distinguished exiles every evidence of their Irish origin was preserved with pride and exhibited with ostentation;† and their relatives at home, from the renown they acquired abroad, were induced in many instances to resume the O's and Macs which prefixed their patronymics, and blazon once more their descent from the kings and heroes of Irish history.

In 1759, General Count O'Connell entered the French service as a sub-lieutenant in Clare's regiment, a service in which he rose speedily to the rank of major-general. He served in that terrible siege of Gibraltar which still appals us by its incidents, and which rendered the year 1782 so memorable in history. Nearly all the scenes of that sanguinary drama took place under his eyes. With one hundred men who acted as marines, this heroic exile served as volunteer in the ship of the French admiral, who with ineffectual valour endeavoured so gallantly but so fruitlessly to prevent the relief of Gibraltar by Lord Hood. The heroism which O'Connell displayed on this occasion was so highly appreciated by Louis XVI., that his majesty invested him with the command of a regiment of Germans then serving in the French army, with the title of Colonel-Commandant. This regiment of "Salm Salm," as it was termed, at that time was a mere mob, consisting of 2,400 men in two battalions; but under his management it became perfect in discipline, and when in 1782 it marched into the great French camp at Metz, it was received with admiration and pronounced the finest regiment under the French crown. In 1788 he was appointed one of the inspectors-general of the French infantry—a position of high importance, which afforded him an opportunity of exercising those great talents for mili-

* "Pencillings by the Way."

† Perhaps nothing can more strikingly display the estimation in which they were held, than the fact that Henry O'Donnell, of Murreisk in Mayo, received in marriage, in 1754, a near relative of the Empress Maria Theresa, descended from an Emperor of Greece, John Cantacuzene, who reigned from 1347 to 1355.

tary organization with which he was so eminently endowed. Here he had the distinguished merit of originating the system of internal organisation, since universally adopted in the infantry regiments of all European armies. Sir Bernard Burke, with reference to this system, tells us, that in the year 1788, "The French government resolved that the art of war should undergo revision; and a military board was formed for this purpose, comprising four general officers and one colonel. The colonel selected was O'Connell, who was esteemed one of the most scientific officers in the service. Without patronage or family he had risen to a colonelcy before he had attained his fortieth year. Only a few meetings of the board had taken place when the superior officers, struck with the depth and accuracy of information, great military genius, and correct views displayed by Colonel O'Connell, unanimously agreed to confide to him the renewal of the whole French military code; and he executed the arduous duty so perfectly that his tactics were those followed in the early campaigns of revolutionised France, adhered to by Napoleon, and adopted by Prussia, Austria, Russia, and England."

What Lady Morgan says of Richard Kirwan, the philosopher, is perfectly applicable to Count O'Connell. "Born in an epoch of Irish story the most marked, the most heart-rending, under that regime of terror, when the worst penal statutes against the Catholics were first imposed; born, too, and receiving his first and deepest impressions in a district poetically and historically the most Irish, he preserved, from the early part of the last century to the commencement of the present, the high and formal courtesy, the gallant bearing, and chivalrous point of honour, the broad guttural accent, and the idiomatic phraseology with which the brave officers who survived the siege of Limerick went forth into voluntary exile, to fight and perish in foreign lands for foreign interests."

On the eve of the great French revolution, in 1789, when the tempest of popular violence which subsequently drenched Europe with blood was luring in the darkening sky, and about to burst on France, he commanded the foreign regiments which then wrapt Paris in a circle of steel. In that high position the military talents of the exiled Irishman might have averted from the throne the disasters which overturned it—he might have snatched from the mad whirl of popular rage the royal martyr whom he idolized. But he was not allowed to act—the benevolent imbecility and irresolute mind of Louis XVI. shrank appalled from the alarming suggestion of

crushing, by the arms of the Brigale, the insurgents of the French metropolis. Yet this would have been possible. In after life General Count O'Connell was often heard to declare, that had the foreign troops been allowed, they were willing and able to sweep the streets of Paris of the *canaille* with grape and canister, and strangle in its cradle the revolutionary Hercules. The experiment of repression, however, was prevented by the vacillation of the humane monarch, who revolted in fright and horror at the carnage which must in that event crimson his capital.

So long as personal devotion and loyal attachment could serve the cause of falling royalty, the undying fidelity of General Count O'Connell kept him close to the side of his king. But when individual devotedness was no longer availing, he prepared, with his companions in arms, to quit France. The scene of the separation of the loyal soldiers and the grateful monarch is one of the most affecting episodes in history. The Irish Brigade—who in the French service had long received double pay—were under arms and about to march from France, after a century of military service, covered with military glory. They had halted to receive the last salutations of the unfortunate Louis XVI. in the person of Monsieur his brother. Their interview was deeply interesting. He advanced to the front of the Brigade. The officers formed a circle round him. Many were honoured by the most flattering marks of his personal attention. He addressed them under evident feelings of agitation: “We acknowledge, gentlemen,” said he, “the invaluable services which France, during the lengthened period of one hundred years, has received from the Irish Brigade—services which we shall never forget, though totally unable to repay. Receive this standard”—it was embroidered with a shamrock and fleur-de-lis—“a pledge of our remembrance, a token of our admiration and respect; and *this*, generous Hibernians, shall be the motto on your spotless colours: ‘1692, 1792. *Semper et ubique fideles.*’”*

Having served in the short and disastrous campaign of the Duke of Brunswick as colonel *a la suite* of a hussar regiment, General Count O'Connell emigrated to England, where he was so unfortunate and ill-advised as to prevail on the British government to take into its service the illustrious Irish Brigade. The policy of the English aristocracy to those heroic regiments was literally murderous. Like those ten thousand

* “Everywhere and always faithful.”—See Teeling’s “Irish Rebellion.”

Irishmen whom Cromwell sold as slaves to the West India planters, the gallant regiments of the Irish Brigade were shipped off to the plague-breathing islands of the pestiferous tropics, where they were literally devoured alive by the poisonous climate. The dreadful demon of disease which haunts those beautiful scenes mowed them down by hundreds, and in a short time there was scarcely a man of them left. Their illustrious standard—that gonfalon of glory which so often waved in the sulphureous sirocco of tempestuous battle, now droops in dusty decay, faded and motionless, in the lonely aisle of a half-deserted church in one of those West India islands, flowery but poisonous, whose every breeze is deadly ! In the gloomy annals of human turpitude, perhaps there is nothing more atrocious than the perfidious treatment of the Irish Brigade by the English aristocracy. It can only be surpassed by the slow and ignominious murder of Napoleon I. in the pestilential island of St. Helena. The men were cruelly deprived of life—the officers meanly cheated of their pay.

General Count O'Connell was one of the few who came alive out of that “place of skulls.” Breathing with impunity the pestiferous atmosphere which hurried so many of his comrades to the grave, he married in the West Indies a creole lady of St. Domingo. At the peace of Amiens he returned to France, to urge the claims of his wife to some landed property. When that short interval of tranquillity was suddenly terminated by the outburst of renewed war, General Count O'Connell (as a British subject) was retained a French prisoner; and when the leagued bayonets of allied Europe secured to the head of Louis XVIII. the tarnished crown of reluctant France, Count O'Connell was restored to his rank of general in the French army while retaining his commission as colonel in the British service. He thus was in receipt of what was nearly unparalleled—military pay from those two rival governments. He died in 1834, when he had reached his ninety-first year. The wealth which he obtained in honour he distributed in charity, and the schools which he founded and the benevolent establishments he enriched previous to his death, attest, in his favourite barony of Iveragh, the generosity of his heart and the piety of his gallant and patriotic spirit.

As to the name of O'Connell, it is now universally admitted that Irish names were not derived from the districts in which the clans lived, but from individuals of celebrity from whom they claimed to be descended. The clan did not take its name from the land—but the land took its name from the tribe who

inhabited the country. The term *Cinel-Conail*, taken literally, signifies the kindred of Conal, but taken geographically, it signifies the territory where the descendants of Conal lived.—The district termed *Cinel-Conail*, in the county Limerick, was the original tribe-land of the ancestors of the Liberator, and from this they were expelled by the warlike tribes in their vicinity. It was the opinion of the Liberator himself that this district was the original seat of his clan. When travelling on one occasion from Charleville to Limerick, he informed a friend that the barony of Connelloe, through which they were then passing, had belonged to his ancestors. He regretted that when Emancipation passed he did not thenceforth write his name O'Conal, as this was the original mode of spelling it.

“There is scarcely a Catholic family in Ireland,” says a distinguished writer, “whose story, if impartially told, would not illustrate the misrule by which the prosperity of the country has been overthrown and its genius nullified. From the beginning to the end of the last century, to have been born a Catholic was a stigma which no talent could efface, no patriotism remove.” This is so clearly demonstrated in the annals of the family of O'Conal that we shall, with the reader's permission, glance for a moment at the history of the tribe:

The surname of O'Conal emanated from *Conal Sabra* an ancient prince of the royal line of Heber, whose tribe or clan, before the English invasion—forced by the fortunes of war—retreated from Connelloe in Limerick to Iveragh in Kerry. In this district they flourished for a considerable time as lord-chiefs of Iveragh. *Aoth*, or Hugh O'Conal, by a commission issued by Edward III. in the year 1337, is authorised to reduce by arms some refractory tribes in the county of Limerick. This Hugh was succeeded by his son and namesake Hugh, or *Aoth*, lord-chief of Iveragh, and by him the tribelands of his clan were long and gallantly defended with the sword against the invasive encroachments of the Geraldines. Hugh—the second of the name—was married to Marguerita, daughter of Mahon H. O'Brien, Prince of Thomond. From this union sprang Jeffery O'Conal who, in a royal order on the Irish exchequer dated 1372, is specially mentioned as lord-chief of his “nation.” This Jeffery was married to Catherine O'Connor, daughter of the chief of Traghty O'Connor, by whom he had a son named Daniel, who succeeded him as “The O'Conal.” This Daniel is specially mentioned in a treaty

dated 1421, as at that period lord-chief of his district. Daniel was married to Honora, daughter of O'Sullivan Beare, lord-chief of Dunboy, in the county Cork. By this lady Daniel had a son, Hugh, the third of his name, who succeeded as arch-duke of his tribe. This Hugh was knighted by Sir Richard Nugent, afterwards lord-deputy of Ireland. In 1490, Hugh received from Henry VII. an order on the Irish exchequer for £20, for services rendered to the English interests in the province of Munster. Hugh was married to Mary, daughter of M'Carthy More, Prince of Desmond, by whom he had a son named Maurice. This Maurice armed his clan in defence of Perkin Warbeck, in opposition to the reigning monarch, Henry VII.; but Maurice was pardoned on the 24th August, 1496, by Henry VII. In the following reign we find that Morgan O'Conal undertook to pay a crown rent of twenty pence, Irish, to Henry VIII., as a recognition of that monarch's authority. This chief was appointed by Edward VI. high sheriff of the county Kerry. His son and successor, Rickard, submitted to Elizabeth, and served in her army against the rebels of Desmond.

In 1641, Daniel O'Conal was living at Aghgore in the barony of Iveragh. He did not participate in the rebellion, and thus preserved his estate.

In 1655, John O'Connell of Ashtown, near Dublin, the brother of the lineal ancestor of the Liberator, *proved his good affection* to Oliver Cromwell by conforming to Protestantism. He thereby preserved his estate. "I saw his escutcheon," said the Liberator, "on the wall of St. James's church, in Dublin, some twenty years ago. I do not know if it be there still."

"O'Connell," says O'Neill Daunt, "was angry at the disparaging manner in which his family had been spoken of by 'Mask,' an anonymous writer who described leading members of parliament. 'The vagabond allows me a large share of talent, but he says I am of humble origin. My father's family was very ancient, and my mother was a lady of the first rank.'"

In the time of James II. Maurice O'Conal, of the county Clare, was a general of brigade and colonel of the king's guards. In that regiment John O'Conal of Darrynane—the lineal ancestor of the Liberator—served at the head of a company of foot which he himself had raised and embodied in the regiment. This officer served at the siege of Derry, at the Boyne, and Aughrim—engagements in which he signalised himself.

The battle of Aughrim, beautifully alluded to by Moore, was witnessed by him :

“Night closed around the conqueror's way,
And lightnings showed the distant hill,
Where those who lost that dreadful day
Stood few and faint—but fearless still.”

When the Irish lost the day at Aughrim, John retired with his shattered regiment to Limerick, and was included in the treaty or capitulation of that stronghold. Respecting this gentleman, O'Connell told an anecdote in the House of Commons, which awakened a storm of anger, groans, and turbulence. When the storm had abated, O'Connell—unabashed by the noisy vociferation of the house—proceeded with his anecdote—which he deemed illustrative of the subject before him : “On the morning of the battle of Aughrim, an ancestor of mine, who commanded a company of infantry in King James's army, reprimanded one of his men who had neglected to shave himself, ‘Oh ! your honour,’ said the soldier, ‘whoever takes the trouble of cutting my head off in battle may take the trouble of shaving it when he goes home.’”

John, who served under James II., had a son named Daniel. This Daniel, son of John, was the father of Morgan, who in his turn was father of the remarkable Agitator, of whom a German said, “He should rank with Christopher Columbus and Vasco de Gama—for he discovered Ireland.”

The house in which the future Liberator was born is not a ruin, as Fagan erroneously states. That house was demolished, and out of its materials a second house was formed. That second house has mouldered into ruin ; and this ruin is the monument which travellers are shown as the birthplace of the Liberator. Of the house in which O'Connell was born, no trace whatever remains.

One of the most remarkable members of the O'Connell family was a second cousin of the Liberator's named Morgan O'Connell, of Ballybrake, who entered the service of Austria, reached the rank of lieutenant-colonel, and was appointed “gold key” or chamberlain to the emperor—a fact which greatly surprised Prince Puckler Muskau, who, in his work on Ireland, asks in astonishment, “can this be the case ?” so exalted in the estimation of Germans is this dignity.

The motto of the Clan-Connell is *Cíal azur neamh*, “judgment and power,” attributes which unquestionably characterised the distinguished subject of this sketch. The O'Connells retained an estate named Glancarra from a period prior to the

penal laws. This estate escaped confiscation because it was not discovered by the confiscators. Its remote situation, hidden among wild mountains and inaccessible from want of roads, caused it to escape the clutches of the harpies who loved to hover round and pounce on the property of Catholics.*

During the year which followed O'Connell's birth, an event auspicious to Ireland took place. The fears and selfishness of the Protestants produced a slight relaxation of the Catholic penal code. The booming cannon of American insurrection, which appalled the British aristocracy in their palaces and distressed the monarch on his throne, produced the panic terrors which in 1776 first loosed Catholic chains. Stimulated by the thunders of transatlantic war, the Irish aristocracy had discovered that it was desirable to allow the hewer of wood and drawer of water a little force and freedom to accom-

* With that perverse and amusing ingenuity which has but too often characterized incompetent, unprincipled, and common-place men, who find their way into our halls of legislation, the House of Commons solemnly declared, in direct opposition to the honest impulses of human nature itself, that the profession of an informer was an "honourable office." To the Irish Parliament it proved as difficult a task, however, to make informers honourable as it proved to Canute to make the waves obedient. The Irish people could never be induced to pervert their principles and contort their nature into a respect for the treachery, baseness, duplicity, and malice which necessarily characterize the ductile tools of suspicious oppression. They scouted them with horror, and excluded them from their households with tremulous caution, as is evident from the following anecdote of the O'Connell family. In Dr. Smith's "History of Kerry" we find little mention of the O'Connell family. An anecdote told of old Maurice O'Connell will account for the negligence of the historian. In the course of his literary peregrinations Dr. Smith visited Darrynane, where he was entertained for several days by the grandfather of the great Agitator. The patriarch of Iveragh, in the course of conversation, communicated to the historian many interesting particulars of local and domestic history. Warmed by his genial hospitality and delighted with his fund of a anecdote, Dr. Smith proposed to Maurice to devote a due proportion of the forthcoming history to the virtues and heroism of the Clan-Connell. The reply was not very encouraging: "We have peace in these glens, Mr. Smith," said the patriarch, "and amid their seclusion enjoy a respite from persecution: we can still in these solitudes profess the beloved faith of our fathers. If man is against us, God assists us; he gives us wherewithal to pay for the education of our children in foreign lands and to further their advancement in the Irish Brigade; but if you make mention of me or mine, these sea-side solitudes will no longer yield us an asylum. The *Sassenagh* will scale the mountains of Darrynane, and we too shall be driven out upon the world without house or home." The wishes of the patriarch were respected by the historian—a broken sentence is all he devotes to the annals of the Clan-Connell.

plish his task—and thus the penal chain was lightened that the Irish slave might toil.

Three months after the Americans proclaimed their country independent, the first act for the relief of Irish Catholics passed both houses of the Irish Parliament. This bill enabled Catholics to take leases for 999 years, and even purchase land under certain restrictions. It recognised as citizens the Catholic natives of the country, who were previously regarded as having no existence in their native country.

The Irish Catholics, like the American Indians, had been regarded as aliens and intruders in their own country, strangers in their fatherland. Some time before the introduction of this bill, it was gravely stated from the bench that the laws did not presume a Papist to exist in the kingdom, “nor could they breathe,” it was said, “without the connivance of the government.” One of those sublime and daring fictions in which law leaves poetry so far behind it.*

This relief bill, which is known to lawyers as the 17 & 18 George III., exempted Catholics, in some degree at least, from the most harassing, odious, and unnatural of their many forms of persecution. The profligate son could no longer bring his virtuous father, in the grey evening of his venerable life, with shame, sorrow, and beggary to the grave. The young renegade was deprived of the power to despoil his hoary parent of his landed property. But so reluctant is tyranny to forego the unhallowed pleasures of oppression, that still the youthful reprobate could plead the old statute where *goods* and *chattels* came in question. He could still rob his father of the personal fruits of life-long industry, and despoil him of what he acquired in business by a pretended conformity to the established faith. Nor did the parent purchase repose by the total surrender of such effects. Very far from it.

The unnatural son was encouraged by a nefarious legislature (determined to demoralize him) to bring in a fresh bill, and compel a new distribution when he discovered that his father had acquired by industry an increase of property, *since* he was first despoiled. Such was the state of the law so late as 1792!

Previously to this relief bill no Catholic could either inherit, acquire, or bequeath landed property. Morgan O'Connell—the father of the Liberator—had nevertheless contrived to acquire property. He was one of those industrious Catholics who managed to “deceive the senate,” and make themselves easy

* Moore's “Captain Rock.”

and comfortable. He had purchased privately a small estate which he transferred to a Protestant who made himself convenient to Catholic gentlemen in this way. We are told that instances were not wanting among the Protestants, in that dark and disastrous period, of this honourable fidelity. The seeds of humanity could not be eradicated from the breast of Protestants by all the contrivances of a satanic legislation, by the influence of religious hatred, the contagion of example, and the menaces of power; and the cunning evasion of those iniquitous statutes by suffering Catholics was facilitated, encouraged, and connived at by generous Protestants.

Thomas Moore illustrates this admirable conduct of Irish Protestants in his "Life of Captain Rock." He speaks of a Protestant barber "who, though his own property did not exceed a few pounds in value, actually held in fee the estates of most of the Catholic gentry of the county in which he lived. "Let me add," Mr. Moore goes on to say, "for the honour of human nature and periwig-making, that though the legislature had set a high premium on perfidy, this Protestant barber was never known to betray his trust, but remained the faithful depository of this proscribed wealth, which an 'honourable' hint to the law officers would have made his own for ever."

It was the opinion of O'Connell himself, that no landed estates could have remained in the possession of Catholics, "only that individual Protestants were found a great deal honester than the laws. 'The Freeman family of Castlecor,'" he observed, "were trustees for a large number of Catholic gentlemen in the county of Cork. In Kerry there was a Protestant named Hugh Falvey who acted as trustee for many Catholic proprietors there. In Dublin there was a poor Protestant in very humble circumstances who was trustee for several Catholic gentlemen and discharged his trust with perfect integrity."

At that time the Irish seas were scoured by a formidable pirate, who spread terror along the coast of England, and occasionally anchored in the harbours of Ireland. This was the celebrated Paul Jones, one of the most daring and remarkable adventurers of the last century, whose taffrail was alternately decorated with the streaming stripes and stars of American republicanism and the brilliant *fleur-de-lis* of French despotism. He had letters of marque from both states, and waged implacable war uniformly against the power of Britain, under two standards. When this daring adventurer encountered British men-of-war, he laid himself alongside and sunk or plundered

them in the open seas. Britain rarely encountered a more pertinacious and troublesome adversary than this hardy Scotchman, whose heroic intrepidity, in the narrow seas where he scared the British mariners, was only to be equalled by his gallantry in Parisian *salons*, where he delighted French beauty, and was fêted, flattered, and lionized by the French *noblesse*.

On the mind of the young and rosy child, Daniel O'Connell, then only three years old, this fierce rover of the surges made a fearful and ineffaceable impression. Gamboling at the head of Valentia harbour—that noble and capacious estuary whose desolate waters, unbroken by a keel, were of themselves sufficient to inspire his impressionable mind with aversion for the unnatural government which neglected it—the comely and ingenuous boy, his golden ringlets playing in the wind, beheld, with unspeakable interest, three men-of-war one day looming in the distance or approaching the shore. These ships constituted the fleet of the privateer. They were commanded by the bold adventurer in person, manned for the most part by Irish seamen, and having a company of the Irish Brigade serving as marines, on board. Paul Jones had swelled the number of his hands by drafts from the French prisons, where many Irishmen captured in war were draining away their lives in dreary incarceration. These men were not satisfied with the service into which they had been allured or coerced; and in the proud vessels which rode so gaily in the offing, discontent was brooding over wrongs, and mutiny waiting for opportunity.

The winds which had aided him hitherto died away vexatiously, as Jones closed in with the shore of Kerry; and as the tide below was running towards the land at the very moment when from the absence of a breeze his vessels became unmanageable, he seemed to those on shore likely to be drifted gradually into the dangerous and intricate channel between Skellig rocks and Valentia harbour, and thus wrecked in the open day. To avert this disaster, he put out boats which towed him from his dangerous position. With the fall of evening, a light wind sprang up and the ships could be seen spreading their widening sails, taking the welcome breeze in their bellying canvass, and slowly shaping their course for the open sea. At the same time a signal was run up, as the spectators on the shore could plainly discern, which ordered the boatmen on board. This signal the latter seemed to be insensible of. They loitered, as if reluctant to obey the command, and finally two boats, availing themselves of the deep-

ening darkness of approaching night, pulled powerfully and desperately for the shore. As darkness precluded pursuit, the fugitive boatmen reached Valentia harbour in hot haste and perfect safety. They were received with apparent hospitality but real treachery by a gentleman of the neighbourhood, who first entertained them at his house, and then secretly informed the authorities, and perfidiously surrendered them to the minions of the government.

It was with no ordinary interest that the wondering and timid child, who was destined to be one day the formidable and fearless Agitator, gazed awe-struck on the gleaming arms, brilliant uniforms, and moving panorama presented by the military escort and their seafaring prisoners as they marched out of Cahirsiveen in the direction of Tralee. He was particularly amused by one, who for some reason or other was mounted on a grey nag, and who, with flourishing gesticulations and preposterous verbosity, declaimed loudly against the treachery and ill-treatment experienced by him and his comrades.—O'Connell never forgot this man. He was, in a miniature way, acting towards the prisoners as O'Connell acted subsequently towards an entire nation—denouncing their wrongs. “He seemed,” said O'Connell, “the *lawyer* of his party.”

In narrating the story to O'Neill Daunt, O'Connell said: “When they landed they went to a public house to drink, leaving some fire-arms in the boats. The muskets were found by some peasants who drenched them; and the sailors were seized by the orders of Mr. Hassett, and conveyed to Tralee to prison. They remonstrated loudly against this treatment, alleging that they had not committed nor intended any breach of the laws, and that the authorities had no right to deprive them of their liberty. I well recollect a tall fellow who was mounted on a grey horse, remonstrating angrily at this coercion. No legal charge of course could be sustained against them, and accordingly in the end they were released.”*

Exasperated apparently by the desertion of these men, and resolved to suffer no loss by their tergiversation, Paul Jones seized a number of poor fishermen who were loitering in their lagging *corraghs* off the same coast. These men were witnesses or actors in the terrible fight which Paul Jones gallantly fought off Flamborough Head with the British frigate *Serapis*. Paul Jones compelled the *Serapis* to strike to the *Fleur-de-lis*. The moment he stepped on board his prize, his own ship, shattered by the fight and riddled by cannon shot, reeled,

* “Personal Recollections.”

foundered, and went down into the deep. It was a terrible engagement, and reflected high honour on the daring seamanship of Paul Jones.

The Irish fishermen, whom he had picked up near Kerry, he landed near Brest, where they were employed in the labours of the arsenal, and where they saved money which, on their return home at the end of the war, made their old age comparatively comfortable in Ireland.

Alluding to his mother, O'Connell, in a letter to the *Belfast Vindicator*, dated 20th January, 1841, said: "I am the son of a sainted mother, who watched over my childhood with the most faithful care; she was of a high order of intellect, and what little I possess was bequeathed me by her. I may in fact say without vanity, that the superior situation in which I am placed by my countrymen has been owing to her. Her last breath was passed, I thank heaven, in calling down blessings on my head; and I valued her blessing since. In the perils and the dangers to which I have been exposed through life, I have regarded her blessing as an Angel's shield over me, and as it has been my protection in this life, I look forward to it also as one of the means of obtaining hereafter a happiness greater than any this world can give."

The maiden-name of this lady was Kate O'Mullane. She was the daughter of Mr. O'Mullane, of Whitechurch, near Cork. Representing an old Catholic family, Mr. O'Mullane possessed a considerable extent of landed property, which fell subsequently by purchase into the hands of the O'Connells.

During O'Connell's childhood, the mountains of Glencarra were infested by a daring band of ferocious robbers who nightly scoured the plains of Clare and Galway, and successfully drove away the oxen and sold them daily in the fairs of Kerry; or with impartial rapacity swept off the stolen beeves of Kerry and disposed of them retributively in Galway and Clare. The harassed farmers regarded these "Crelaghs," as they nicknamed them, with terror and loathing; but their hatred was repressed by fear, because the Protestant gentry extended to the freebooters a kind of negative protection. A portion of the spoil which the grateful robbers presented to the sympathising magistrates rewarded this profitable connivance. Emboldened by an impunity which, having purchased, they regarded as a right, the robbers stole from the lands of Morgan O'Connell, who was unwell at the time, fourteen cows. Exasperated by this outrage, the father of the future Liberator, at the head of an armed party, penetrated the mountain defiles and proceeded

to storm the haunt of the banditti. The struggle which ensued was of a very desperate and even sanguinary character, as the *Crelaghs* offered a fierce resistance, in the course of which the father of young Daniel wounded one and captured two; while the remainder of the robbers broke through their assailants and effected their escape, to renew in another part of the country the depredations which made them so formidable in Glencarra.

One evening as Morgan O'Connell was riding home alone, he was set upon by these desperadoes; determined to revenge on his friendless head the injuries which, when surrounded by companions, he had inflicted on them. Rushing down the slope of a mountain they called on him with threats to stop, and fired on him as he continued his course. His horse at this moment, terrified by the discharge of the musket, became unmanageable, and he was flung heavily to the ground. While thus prostrate he was again fired at, but fortunately without effect. Regaining his feet, he succeeded in recovering his horse, and springing upon its back, he was speedily beyond the reach of the banditti, who pursued and fired at him as he fled.

Some time subsequently one of the *Crelaghs* was convicted of horse-stealing at Tralee. Leaning on the bar, he heard the sentence of death with a degree of savage apathy which astonished every spectator in the court. "Is it listening to his lordship you are, you stupid gomeril?" exclaimed a bystander, with unfeigned amazement. "Don't you see it's listening I am?" replied the prisoner angrily; "but fot do I care fot he says. Is not Colonel Blennerhasset looking at me—isn't he—all the time? and *he* says nothing." The prisoner, doubtless, relied on the presents which he had given the Colonel for an entire immunity from the penalty of crime.

To understand the benefits which Ireland has reaped from the labours of O'Connell, we must understand the mode in which justice was administered during his boyhood. For instance, the noted Denis O'Brien had a record at Nenagh, and learning that the judge had talked of purchasing a set of carriage horses, Denis sent him a magnificent set. The judge graciously accepted the horses, praised their points extravagantly, and then charging the jury in favour of Denis, obtained a verdict for him. The moment Denis gained his point he sent in a bill to the judge for the full value of the horses. His lordship called Denis aside to expostulate privately with him. "Oh! Mr. O'Brien," said he, "I did not think you meant to charge me for those horses. Come now,

my dear friend, why should I pay you for them?" "Upon my word that is curious talk," retorted Denis, in a tone of fierce defiance, "I'd like to know why your lordship should *not* pay me for them?" To this inquiry of course a reply was impossible. The judge was obliged to hold his peace and pay the money.*

The counsellor is feed in our times, but in the times preceding the birth of O'Connell the judge likewise required a fee. It was impossible for poverty to obtain justice. The rich could ply the judge with golden reasons which were alike irresistible and unanswerable.

At that time the value of land was estimated by its capability of feeding a certain number of stock. This was the most natural, and perhaps the only possible way of computing territorial value. In the remoter parts of Ireland the gentry moved frequently from one farm to another. When they and their household had consumed the produce of one farm, they migrated to consume the food furnished by the next. Mr. Maurice O'Connell had a house at Logher, and occasionally moved thither from Darrynane. He found it easier and cheaper to move the family to the food than the food to the family, as conveyances were bad and the roads a great deal worse. In some districts indeed neither roads nor cars existed, and where the farms were at a considerable distance from each other, the best expedient was to mount the household upon horseback and transport them all to the provisions. These excursions, to which he frequently adverted in after days, added much to the guileless enjoyments of O'Connell's childhood.†

His confessor in early boyhood was a Father Grady, who dwelt with Maurice O'Connell and acted as Catholic rector of the parish. Of him a curious anecdote is told. Residing at Louvain during the wars of Marlborough, the good priest found himself reduced to the utmost distress, as, owing to the troubled state of Flanders, his profession afforded him no means of subsistence. In helpless and deplorable penury he begged his way to the coast, hoping to meet some vessel whose captain might take him for charity to Ireland. Animated with this slender hope he was trudging slowly and painfully along, when he suddenly fell in with a band of robbers. One of the robbers was a Kerryman, named Denis Mahony, who moved to compassion by the penniless poverty of the priest, and charmed with the sound of his native tongue, gave him out of his own share of plunder the means of returning to Ireland.

* "Personal Recollections," by O'Neill Daunt. † *Ibid.*

"God be merciful to poor Denis Mahony," Father Grady was accustomed to say, when relating this adventure; "I found him a useful friend in need. But for all that he might prove a very disagreeable neighbour."

The Liberator in after years accounted for the appearance of a native of Kerry among a gang of Flemish robbers, by supposing that he had served in Marlborough's army, and, deserting from ill treatment, sought subsistence on the highway as a footpad.

This reverend gentleman, Father Grady, on his return to Ireland, was prosecuted and tried in Tralee on the charge of being a "Popish priest." A flippant witness mounted the table and swore he had heard him "say" Mass.

"Pray, sir," said the judge, "how do you know he said Mass?"

"I heard him say it, my lord," replied the witness.

"Did he say it in Latin?" inquired his lordship.

"Yes, my lord."

"Then you understand Latin?"

"A little."

"What words did you hear him use?"

"*Ave Maria*."

"That is part of the Lord's Prayer; is it not?"

"Yes, my lord," was the fellow's answer.

"Here is a pretty witness to convict the prisoner," cried the judge; "he swears that *Ave Maria* is Latin for the Lord's Prayer." As the judge pronounced a favourable charge, the jury acquitted Father Grady.

From the persecuted confessor we naturally turn to the tutor of O'Connell, who was likewise persecuted.

The manner in which the acquisition of the English alphabet was made by the future Liberator, must not be passed over in silence. One day the house at Carhen was visited by a wandering teacher—one of those hedge-schoolmasters who, in defiance of law, communicated the rudiments of literature to clustering scholars, where,

"Stretched on mountain fern.

The pupil and his teacher met
Feloniously to learn."

The itinerant teacher took the blooming child upon his knee, and with honied words and kind endearments smoothed his ruffled locks, and with a pocket comb loosed the tangles of his golden hair. The grateful child, charmed with this attention (which contrasted favourably with the hurried manner and

painful petulance of the female servants who tortured when combing him), yielded a slow consent to learn his letters.— He mastered the alphabet in an hour, and unquestionably made vast use in after life of that invaluable acquisition. This shows that what the Catholic was not allowed to *take* he *stole*; he was educated in defiance of penalty, in the face of privation; he was educated under every restriction of penal law.

A periodical termed the *Dublin Magazine* was published in the Irish metropolis while young Daniel abode with his uncle in Darrynane. Prints of distinguished persons accompanied by a biographical notice appeared in this magazine. Poring over these prints the young and ambitious boy, fired with emulation, often whispered to himself, “I wonder will my portrait ever appear in the *Dublin Magazine*?” He could at that time imagine no greater celebrity. In the year 1810 his anticipation was realised; O’Connell’s portrait appeared in the *Dublin Magazine*.

Two Protestant gentlemen at this time paid a visit to Darrynane. As there was no Protestant church in the vicinity, they were reduced to the alternative on Sunday of going to Father Grady’s Mass, or doing without divine worship. They chose to go to Mass; and on entering the chapel shrank back fastidiously from the holy water, which the clerk was scattering with great liberality in copious showers on every side. The indignation of the honest clerk was roused by this unaccountable squeamishness, which he regarded as a slight on the ceremony and an insult to his profession. He placed himself with a smile quietly behind the sanctuary door, through which they had to pass, and slashed the contents of his full-charged brush into their faces. The future Liberator laughed immoderately and danced with delight at this occurrence, as the blank and discomfited faces of the disconcerted Protestants, drowned in water and perfectly dolorous, seemed to his young eyes irresistibly ludicrous.

Some time subsequently a private play was performed at Tralee in which the young O’Connell was an actor. Another boy, named Ralph Hickson, had likewise a part to perform. Hickson’s speech was not very long. It consisted of a few words, “Put the horses to the coach.” Into this short sentence the young performer introduced an egregious blunder. He said, “Put the horses *into* the coach,” to the no small amusement of our youthful hero.

The first large volume perused by the future Liberator was “Captain Cook’s Voyage round the World.” Captain Cook,

who had been the son of a farm servant, delighted young O'Connell. The boy read the book with intense avidity.—When asked by the other children to play, the future Agitator would bury himself with his book in the recess of a window at Darrynane, and sitting cross-legged and incumbent, devour the adventures of Captain Cook. The book in question helped to improve him in geographic knowledge. He loved to trace the career of the navigator on a map of the world, and follow his roving vessels from isle to isle and sea to sea round the globe. There he would sit, poring over the ponderous tome, silently absorbed in the narrative, while other lads of his age, engaged in noisy games, were screaming with pleasure or squabbling in transient exasperation. Owing to this passion for study, O'Connell in boyhood had the reputation of being distant, cold, and even unsocial. In such studies, however, he passed whole days,

“Nourishing a youth sublime

With the fairy tales of science and the long results of time.”

“I liked ballads above all things when I was a boy,” said O'Connell. “In 1787 I was brought to the Tralee assizes. Assizes were then a great mart for all kinds of amusements—and I was greatly taken with the ballad singers. It was then I heard two ballad singers, a man and a woman, chanting out a ballad which contained a verse I still remember :

‘I leaned my back against an oak,

I thought it was a trusty tree.

But first it bent, and then it broke—

’Twas thus my love deserted me.’

He sang the first two lines—*she* sang the third line, both together sang the fourth, and so on through the whole ballad.”

A segment of the skull of a friar, hewn down with the sword while saying Mass, by a soldier of Cromwell, had been preserved in the O'Connell family, and had early made a profound impression on the plastic mind of young Daniel. The eye of the future Liberator was often fixed on that appalling relic, and, doubtless, he often felt animated with an ardent desire to avenge the murder of the sacerdotal martyr, thus brutally immolated on the steps of the altar.

A party of friends were one day assembled round the hospitable board of O'Connell's father, where the events of the period were the topic of conversation. Having canvassed the respective merits of the leading statesmen—extolled Flood and denounced Charlemont—the services and eloquence of Grattan became the subject of discussion. As the guests were pretty

equally divided on this question a warm debate ensued, during which the future Liberator—only nine years of age—was observed sitting dreamily in an arm-chair lost in thought. The unwonted gravity of the lad's countenance, his abstracted air, attracted the attention of a lady, who said to him suddenly, "What ails you, Dan?—what are you thinking of?" He turned, and looking at her said, "I'll make a stir in the world yet." He was brooding over the thick-coming fancies of his anticipative mind; the ambition which invariably accompanies talent was kindling in his young breast, and a prophetic sense of his future eminence was dawning within him. He was at that moment like the poet described by Pollok in his "Course of Time,"

"Who deep and sudden vow
Of resolution made to be renowned,
And deeper vowed again to keep his vow."

Adopted by his uncle Maurice in his early childhood, young Daniel was, at that gentleman's expense, sent to the school of the Rev. Mr. Harrington, situated near Cork, in Long Island. He was then thirteen years of age. "I was the only boy at Harrington's school," he said at a subsequent period, "who was not beaten; I owed this to my attention. . . . I was, in childhood, remarkably quick and persevering. My childish propensity to idleness was overcome by the fear of disgrace; I desired to excel, and could not brook the idea of being inferior to others. One day I was idle, and my teacher, finding me imperfect in my lesson, threatened to beat me. But I shrank from the indignity, exclaiming, 'Don't beat me for one half-hour; if I have not my lesson by that time, beat me then.' The teacher granted me the reprieve, and the lesson, rather a difficult one, was thoroughly mastered." Father Harrington's school was the first opened by a priest subsequently to the relaxation of the penal code.*

As the legislature refused to throw open the doors of university education to the Catholic people at home, it was absolutely necessary on their part to seek education in foreign countries. This was not always a disadvantage. The art of eliciting talent and cultivating the human mind—the science of education—had attained in France a high degree of perfection. They did not make such good machines, but they unquestionably produced better scholars than the English. Previously to the administration of Cardinal Richelieu, England was perhaps su-

* "Personal Recollections of Daniel O'Connell, Esq., M.P.," by W. J. O'Neill Daunt.

perior to France in arts, sciences, and arms. At that time the mode of education in the two countries was much the same; so that it is probable the pre-eminence of Britain was attributable to the native genius of the population. Cardinal Richelieu saw this, and laid effective plans to secure the future greatness of his country. That profound statesman was intimately persuaded that, like arable soil, the human mind can only be improved by culture, and that national greatness is best based on intellectual pre-eminence. He therefore changed the prevailing mode of education. He established numerous academies, and his successors improving on his design, multiplied their number. These seminaries furnished the youth of France with every assistance in theory and practice which could contribute to render them masters of any profession urged by their genius or suggested by their choice, in art or science, the civil or military career. Academies were founded for the study of political economy, in which theory gave place to practice, and the mind was diligently trained to study the minutiae of the science. The land was crowded with academies of the French language and oratory, of the belles lettres, of painting, sculpture, architecture, and science, but above all with military academies. Out of these nurseries the rulers of France were always able to draw well informed and skilful officers, statesmen, negociators, and ambassadors. From them have emanated those excellent writers who, surmounting the difficulties presented by the native poverty of their language, write eloquently on all subjects. The academies have produced artists whose decorative taste in various manufactures furnishes France with treasures richer than mines of gold. Owing to the excellence of her educational system, France has abounded in what have rarely appeared under arbitrary governments, admirable orators, whose compositions, in a language little suited to the requirements of a public speaker, are the most eloquent in modern Europe. By these means France has been enabled to dazzle and astonish the eyes of the world by an unparalleled progress in the career of glory; while England, so long foremost in the race, now relinquishes the torch and lags behind in the career. What has been the origin of this revolution? It unquestionably sprung from the higher estimate of the value of educated intelligence which France has formed. When a stranger enters a drawingroom in London the question is, "what is he worth?" In Paris when a stranger enters a *salon* the question is, "what has he achieved?"

In old times England and France had the same mode of

education. England then was confessedly superior. France changed her mode of education while England continued hers unchanged, and Richelieu began the work which his successor carried to perfection. Buckingham, in England, endeavoured to rival Richelieu, but was foiled by the turbulent spirit of his fanatical countrymen, and his attempt was never revived by his successor. The educational system established by Richelieu and the Jesuits remained much the same during successive centuries. France from that hour to the present has been gaining, England losing ground. If their disparity does not arise from the cultivation of the human mind, to what must we attribute it? France has been subject to an absolute monarchy, and in the usual course of things her advance should have been arrested rather than promoted by this restriction of liberty. The English in this respect boast of their pre-eminence over France. They tell us that their government is established on the best model and upon the best principles in the world. All this makes in favour of the English, and on the first glance we should say that if England were previously superior to France, she must at this day infinitely surpass her. But the contrary is the truth.

That the existing splendour of France is attributable to her educational improvements, admits of the most irrefragible evidence. It must be remembered, that previously to these improvements France, notwithstanding her extent of territory and numerous inhabitants, made but a contemptible figure in European history. In the early years of Louis XIII. she had no reputation for arts, arms, or policy; her language was poor, her lands uncultivated, her commerce neglected, her manners brutal, and her territory untrodden by foreign visitors. Subsequently to the institution of those seminaries what did France become? Let the reign of Louis XIV. answer this question. What is France at this moment? Is she not in all essential points the sovereign of Europe. Are not the youth of all lands ever flocking round her throne and paying homage to this queen of the nations?

Among these was young O'Connell. Sent to Flanders in the first instance, he proceeded subsequently to France, where, in 1791, he entered the famous college of St. Omers. On his way he encountered a Frenchman who, sitting opposite in the diligence, poured out incessantly the most virulent tirades against England. O'Connell seemed perfectly satisfied; and the Frenchman, astonished at his apathy, after talking a long time, lost patience with the young traveller.

"Do you hear? Do you understand what I am saying, sir?"

"Yes, I hear you—I comprehend you perfectly."

"And yet you are not angry?"

"Not in the least."

"How can you so tamely bear the censures I pronounce against your country?"

"Sir, England is not my country. Censure her as much as you please—you cannot offend me. I am an Irishman, and my countrymen have as little reason to love England as yours—perhaps less."

The expense of his education was defrayed by his uncle Maurice, the owner of Darrynane, who in Kerry was known by the soubriquet of "Hunting-cap," from his partiality to that article of head-tire, which he rarely laid aside. The subject of this work was inspired at this period with an ambition to distinguish himself by the example of General Count O'Connell, who left Ireland, like himself, at the early age of fourteen, and had risen rapidly in the French service. The marked character of O'Connell's talents, as exhibited in Father Harrington's school, where he spent a year, reached the ears of the general and aroused an interest in the promising lad; and mainly at the general's solicitation, Maurice incurred the expense of the continental education of the future "Liberator." It was money well expended; for the brilliancy by which O'Connell's mind was characterised in the school of Father Harrington did not desert him in St. Omers. He was still head of his classes.

The post of honour in those continental schools was taken usually by natives of Munster, who, generally speaking, left those of the other three provinces behind them—owing, no doubt, to that devotedness to mathematics and Latin which in their darkest days distinguished the children of Munster. To these two branches of study the Irish on the Continent were mainly indebted for their marked success in the army and civil service. They first, in hedge-schools, mastered Latin and "Voster," and every other intellectual acquisition proved comparatively easy. Men like Field-Marshal Brady and General Count Nugent have often expressed their predilection for Latin and mathematics as the main elements of success in life, and their abhorrence of those "ologies" which have in some degree superseded them. We have known a case which illustrates our statement. An Irish lad from Edgeworth's school, erudite in the "ologies" but imperfect in Latin and mathe-

matics, was sent out to his uncle, Field-Marshal Brady. But he failed, chiefly owing to that peculiar species of education, which Dr. Johnson compared to the rations of a besieged city, "where every one gets a mouthful, and no one a bellyful."

In St. Omers O'Connell had Munster men to contend with, particularly his kinsman Christopher Fagan, who in after life attained distinguished rank. But young O'Connell held his own, despite the formidable antagonism of this brilliant rival from his native province.

During O'Connell's residence in St. Omers the prodigious panorama of the French Revolution passed, in all its wild terrors and flaming grandeur, before (we may almost say) the excited eyes of the Irish student. Imbued with Bourbonite partialities by his clerical instructors, the revolution, with its anti-Christian manifestations, aroused his loathing and abhorrence. His young and pious heart was naturally shocked and horrified by the persecution and insults heaped upon his venerable religion—a religion which, trampled on and crushed by the aristocracy in Ireland, was trampled on and persecuted in France with equal violence by the people. This made him a confirmed monarchist.* With his illustrious countryman, Moore, he felt tempted at this time to execrate the French,

"Who at death's reeking altar, like furies caressing
The young hope of freedom, baptized it in blood."

This is the less surprising as the family of O'Connell had ever been devoted partisans of the Stuarts, as was only natural in Catholics who had suffered and bled under rigorous persecution. The O'Connells, however, committed no overt acts of

* "Certainly," said O'Connell, speaking when time had mellowed and modified his opinions, "that revolution was much needed, though it was bought at the price of so much blood. The ecclesiastical abbés were a great public nuisance; they were chiefly cadets of noble families who were provided for with sinecure revenues out of the abbey lands. The nobility engrossed the commissions in the army; and both the clergy and nobility, although infinitely the richest bodies in the state, were exempt from taxes. The people were the scapegoats—they were taxed for all; the burdens of the state were all thrown upon them, whilst its honours and emoluments were monopolised by the untaxed. This was a gross wrong—the revolution swept it away." On another occasion, speaking to M. l'Abbé le Grand, a Parisian priest, he said: "In fact, the democratic spirit is more favourable to the cause of morality and religion than the monarchical. In a democratic state, where the electoral power belongs to the people, success in the objects of public ambition necessarily becomes, in a great measure, a question of personal preference. The public at large will rather commit their interests to the keeping of a man whom they believe to be under the influence of honest moral principle than to a notorious

Jacobitism ; their zeal extended no further than keeping a print of the Pretender in the house. When the first relief acts passed, in 1778 and 1782, their speculative Jacobitism melted gradually away, and the beautiful song of "The Blackbird" ceased to be heard in those halls which, "in foul and fair weather," had so often re-echoed with the witching sweetness of that enchanting melody.

At this time the progress of Catholic wealth and Catholic intelligence was remarkable. The limitation of the Catholic mind to one object, the acquisition of wealth, had produced its natural result. It had perfected the art of acquisition. The Catholic was then what the Jew is still. There was no reason why he should not succeed in the same way and as well. His Protestant master became a spendthrift, with the habits of a spendthrift ; the Catholic a miser, with the habits of a miser. But the relaxation of 1778 forced him from that state. He found himself suddenly empowered to purchase land. The Catholic became a landed proprietor ; but with the land the privileges which the land gives were withheld. He was in an unnatural state.*

O'Connell with his younger brother seems to have remained about a year in St. Omers. The Rev. Dr. Stapylton was at that time president of the college. Requested by the uncle of the boys for a candid opinion of their respective merits, the president penned a remarkable prediction which reflects credit on his deep penetration and will unquestionably live in history. He said that Maurice in point of moral character was an excellent lad, but was likely to yield to the fascinations of pleasure, and abandon the thorny paths of intellectual pursuit for the more flowery allurements of amusement.

vagabond or scoffer at religion. A candidate for public favour in a democratic state would have little or no chance of success if it could be established that he was a blackleg, a seducer, or in any way notoriously immoral. But this is not the case in a monarchy. Look at your Louis XIV. Look at the pre-eminently infamous reign of Louis XV. Why, not only was morality of no advantage to the candidate for court favour and patronage, but, in point of fact, it was a positive disadvantage."

In conclusion, we may observe that the French revolution was a civil war fought in the streets and decided on the scaffold. In that revolution equality—in other words, the destruction of hereditary aristocracy—the greatest evil that can distress a people—was the cry, the aim of the French nation ; and equality they not only won but kept, even under the empire of Napoleon. This fact reconciles what appears incongruous—that attachment to the revolution and to Napoleon which are in the French mind so universal, and to English prejudices so incompatible.

* Wyse's "Catholic Association."

“You desire to have my candid opinion respecting your nephews; and you very properly remark, that no habit can be worse than that of the instructors of youth, who seek to gratify the parents of those under their care by ascribing to them talents and qualities which they do not really possess. You add that, being *only the uncle* of these young men, you can afford to hear the real truth respecting their abilities and deficiencies. It is not my habit to disguise the precise truth in reply to such inquiries as yours—you shall therefore have my opinion with perfect candour.

“I begin with the younger—Maurice. His manner and demeanour are quite satisfactory. He is gentlemanly in his conduct, and much loved by his fellow-students. He is not deficient in abilities, but he is idle and fond of amusement. I do not think he will answer for any laborious profession; but I will answer for it, he will never be guilty of anything discreditable—at least, such is my firm belief.

“With respect to the elder, Daniel, I have but one sentence to write about *him*—and that is, that I never was so much mistaken in my life as I shall be unless he be destined to make a remarkable figure in society.”

Never was a prediction more fully realised.

“The Bishop of Ardagh told me,” says O'Neill Daunt, “that a French captain of artillery said to him shortly after the *trois jours de Juillet*, ‘Some of us imagined that your O'Connell was born at St. Omers. Ah! if he had been a native of our country we should have made him King of the French.’”

Leaving St. Omers, where he greatly distinguished himself, O'Connell spent some months in Douay College in the year 1792. In that year a bill was introduced into the House of Commons which determined his destiny—Catholics in Ireland were allowed to become members of the bar.

Up to this period a Catholic might have a noble descent, a large property, and an historical name; but he could not be a counsellor. The title of counsellor marked a distinctive privilege of the Protestant ascendancy, was a grade in itself, a dignity guarded by the laws of the land, and an assurance of personal gentility. Up to the middle of the last century, all the liberal professions were closed against the Catholic gentry of Ireland: but it was a dignity to belong to the bar—even among Protestants; for the candidate for its honours was obliged to study in London, which at that time was an affair of no inconsiderable enterprise and effort. “My uncle,” said O'Connell, “kept a diary of a tour he made in England be-

tween the years '70 and '80, and one of his *memorabilia* was: 'This day we have travelled thirty-six miles, and passed through parts of five counties.'" The uncertain sea-voyage and long land journey were attended with a heavy expense, some risk, and considerable labour. Wales being then inaccessible to carriages, that part of the journey was made on hired horses; and not less than three weeks were occasionally passed in the transit from London to Dublin. To be a counsellor, therefore, was in itself a mark of a certain considerable wealth and respectability.

"Counsellor" is still prefixed as a title of distinction by the people to the names of barristers; and even the feudal cognomen of "The O'Connell" lost nothing by the professional dignity of counsellor, which the Kerry clients of that gentleman, the ex-subjects of his dynasty, never failed to give him.

While living in Douay College he often, in common with his fellow-students, felt alarm lest, breaking violently in, the revolutionists should put them all to the sword; but, except on one occasion, never experienced real danger. Even this danger was not very imminent. While walking one day for recreation accompanied by other students, a waggoner of Dumouriez' army espied them, and roared, "Voilà les jeunes Jesuites, les Capucins, les recolets"—"See the young Jesuits," &c. The students scampered, heated and frightened, into college, but were with that exception entirely unhurt.

For the relaxations of 1792 and the following year we are chiefly indebted to two men—John Keogh and Wolfe Tone. Of the first, O'Connell himself said, "Keogh was undoubtedly useful in his day." The character and intellect of Keogh were eminently and especially framed for the times. The want of political knowledge and of the free circulation of public opinion, the want even of roads or conveyances, debarred the Catholics of all chance of a great national junction. The exertions of John Keogh were thus in appearance local, but the results were felt in every portion of the body. He achieved the first great triumph of the Catholic cause by a series of measures, none of which were distinguished by any peculiar brilliancy of effect, but so well linked together and so minutely adapted to their end, that it was impossible to refuse them the praise of consummate address. His frame of thought and colour of expression, his writing and speaking, were singularly adapted to the object he had in view and the body with which he had to deal.*

* Wyse's "Catholic Association."

Of this man we are told : "He was a member of a deputation, consisting altogether of five persons, who had an interview with Pitt and Dundas on the subject of the Catholic claims. Pitt asked what would satisfy the Catholics. Keogh replied, 'Equality.' Pitt seemed inclined to comply with the wishes of the deputation, but Dundas started several objections. Pitt then said, 'Would you be satisfied with the bar, the elective franchise, and eligibility to the municipalities?' Keogh replied, 'They would be great boons.' Pitt immediately pinned him to that, and would concede no more. Had a lawyer been present," continued O'Connell, "he would have known that eligibility to the municipalities was really worth nothing. *They* thought it was a great approach to equality."*

The revolution of France led to the relaxation of the penal laws, and this in turn caused the foundation of Irish colleges at home. The foreign colleges and the Irish Brigade no longer invited the youth of Ireland to try their fortunes in France and Flanders. The physical strength of Ireland, which had been formerly frittered away on many armies, was now for the first time fused into that of England, and her Irish recruits poured fresh and irresistible valour through the ranks of her army and her navy. The colossal growth of the British empire, which now began to assume gigantic proportions, was the inevitable result. The foundation of Maynooth College is the epoch from which the real greatness of the British empire dates. Recently beaten in her ignominious struggle with America, she had at that time, external to these islands, only three millions of subjects. She has now a hundred millions—and this owing to the accession of irresistible strength which she derives from the junction of Ireland and the relaxation of the penal code.

On the 21st of January, 1793, O'Connell quitted Douay to return to Ireland. At that time Louis XVI., with ghastly face and corpulent person, was ascending, with tottering step and vacillating gait, the scaffold of the guillotine, attended by an Irish priest. When the young Irishman reached Calais the alarming intelligence came flying into the town that the king and queen had been beheaded.

The consternation, amounting to affright, which this appalling news excited cannot well be described. It was the prevailing topic of conversation in the packet on which O'Connell embarked. It is alleged that on entering this vessel the future

* "Personal Recollections of O'Connell," by O'Neill Daunt.

demagogue plucked the symbol of the French republic, the tricolor, from his hat, and trampled or threw it into the water. While the packet was ringing with the babble of the passengers denouncing the barbarity of the Parisian regicides, two gentlemen entered. One was tall, the other low. "We were present at the execution," said one of them quietly. "Good heaven," exclaimed an Englishman in much excitement, "and how did you get there?" "We obtained an excellent view of the entire scene by bribing two of the National Guard to lend us their uniforms." "But in heaven's name how could you endure to witness such a hideous spectacle?" cried the Englishman. The peculiar manner in which the stranger replied made an ineffaceable impression on the mind of O'Connell—gazing on him in astonishment. He said, "From love of the cause." The strangers were the two Sheareses.

In 1794, O'Connell became a law-student in Lincoln's Inn. The future Liberator lodged in a court or *cul de sac* on the north side of Coventry-street, London, where he had what he considered excellent accommodation. One day, fifty years subsequently, passing through Coventry-street, he halted before a fishmonger's shop and said to a friend, "That shop is in precisely the same state in which I remember it when I was at Gray's Inn. The same sized window, the same frontage, I believe the same fish." At this early period of his life he was fond of boating on the Thames, an amusement which made considerable inroads on his slender purse.

Though biassed against democracy by the godless character of the revolution, the scenes enacted in London recalled him to democratic principles and enraged him against aristocracy. The state prosecution of those distinguished men—Horne Tooke, Thelwall, and Hardy, in which justice was perverted and the ruin of thousands contemplated proved that if democracy had its errors, hereditary aristocracy is organised oppression. Present at the trial of those persecuted men, he entered the court a tory but quitted it a radical. His indignation was naturally and inevitably provoked by the unscrupulous exercise of power and the malignity Pitt exhibited in the trial, and he vowed devotion to those generous principles from which he never afterwards seceded. To use the language of his son John, "Each successive day revealing more and more the iniquitous nature of the prosecution, the process of change in Mr. O'Connell's mind ended by converting him to popular opinions, and confirming his natural detestation of tyranny."

O'Connell, in 1795, was witness to an event which threatened consequences as disastrous to London as the French revolution to Paris, together with destruction to his own life. Accompanied by a friend, the young Irishman sauntered one day through St. James's Park with the expectation of witnessing the king's return from the House of Lords. He was not disappointed. The carriage, surrounded by a noisy, angry, and excited mob, came moving slowly along. Suddenly the glass in the royal window was smashed by some individual in the crowd, who, having read the Bible, "rendered unto Cæsar the things that are Cæsar's," by flinging a penny at his majesty. The flashing sabres of the dragoons were drawn immediately, the loud voice of imperative command was ringing above the tumultuous sounds, and the dragoons, clearing their way through the huddled and scrambling multitude with brandished blades and curveting horses, advanced in a gallop in front of the king's carriage. As the procession approached the place where O'Connell stood he pressed forward to get a sight of the king, when a dragoon made a furious slash at him which deeply notched the tree about an inch or two above his head. Groans, hootings, and hisses filled the air, and the king's life seemed in imminent danger; however he got rid of his dutiful subjects, and entered St. James's palace, where he took off his robes in a wonderfully short time. He then came out of the opposite side of the palace, next Cleveland-row, and entered a coach drawn by two large black Hanoverian horses. He was subsequently driven towards Buckingham House, and just as he was passing the bottom of the Green Park the mob tumultuously swarmed round the carriage, seized the wheels, and with united strength and horrible vociferations prevented their revolution, though the postilions, with desperate cuts, rained showers of blows on the straining and perspiring horses. The mob seemed intent on tearing the king to pieces. Two fellows at this moment approached the carriage—the hand of one was on the door-handle in the act of opening it. Had the door opened they would doubtless have dragged the king headlong out and murdered him on the spot. At this critical juncture a tall determined-looking man thrust a pistol through the opposite window at the fellows who were going to open the door; they shrank back, the mob relaxed their grasp on the wheels, the postilions flogged their horses, and the carriage went off at a gallop to Buckingham House. Never had king a more narrow escape. It was a terrible scene.*

* "Personal Recollections of O'Connell," by O'Neill Daunt.

"I am now only four miles from town," writes O'Connell in 1795, to Maurice O'Connell, Esq., of Darrynane; "I pay the same price for board and lodging as I should in London; but I enjoy many advantages here (in Chiswick) besides air and retirement. The society in the house is mixed—I mean composed of men and women, all of whom are people of rank and knowledge of the world; so their conversation and manners are perfectly well adapted to rub off the rust of scholastic education; nor is there any danger of riot or dissipation, as they are all advanced in life—another student of law and I being the only young persons in the house. This young man is my most intimate acquaintance, and the only friend I have found among my acquaintance. His name is Bennett. He is an Irishman of good family connexions and fortune. He is prudent and strictly economical. He has good sense, ability, and application. I knew him before my journey to Ireland. It was before that period our friendship commenced. So that on the whole I spend my time here not only pleasantly, but I hope very usefully.

"The only law-books I have bought as yet are the works of Espinasse on the trials of *nisi prius*. They cost me £1 10s.; and contain more information on the practical part of the law than any other books I have ever met. When in Dublin I reflected that carrying any more books than were absolutely necessary would be incurring expense, so I deferred buying a complete set of reports until my return thither.

"I have now two objects to pursue—the one, the attainment of knowledge; the other, the acquisition of those qualities which constitute the polite gentleman. I am convinced that the former, besides the immediate pleasure that it yields, is calculated to raise me to honours, rank, and fortune; and I know that the latter serves as a general passport: and as for the motives of ambition which you suggest, I assure you that no man can possess more of it than I do. I have indeed a glowing and—if I may use the expression—an enthusiastic ambition, which converts every toil into a pleasure and every study into an amusement.

"Though nature may have given me subordinate talents, I never will be satisfied with a subordinate situation in my profession. No man is able, I am aware, to supply the total deficiency of ability, but everybody is capable of improving and enlarging a stock however small and, in its beginning, contemptible. It is this reflection that affords me consolation. If I do not rise at the bar, I will not have to meet the re-

proaches of my own conscience. It is not because I assert these things now that I should conceive myself entitled to call on you to believe them. I refer that conviction which I wish to inspire to your experience. I hope—nay, I flatter myself, that when we meet again the success of my efforts to correct those bad habits which you pointed out to me will be apparent. Indeed, as for my knowledge in the professional line, that cannot be discovered for some years to come; but I have time in the interim to prepare myself to appear with great eclat on the grand theatre of the world."

While O'Connell was quietly pursuing his studies in his tranquil retreat in Chiswick, a dark and murderous institution arose in Ireland, which has had on the destinies of our country an effect of a most fatal character. This was the Orange Society. The Protestants and Catholics came into deadly collision at a village named "The Diamond," on the 27th September, 1795. Forty Catholics were killed in this engagement. Exulting in a victory which reflected credit on their organisation—as the Catholics were more numerous—the hot, thirsty, and excited conquerors, in the mad delirium of unexpected triumph, glorying in their murderous success and red with blood, vowed with fierce vociferations to call themselves thenceforth "Orangemen," in honour of William III., Prince of Orange.

A ballad was composed in commemoration of this victory, which was long popular amongst the Ulster linen-weavers, and from which we make an extract to show the dreadful and diabolical spirit of the men with whom O'Connell was ere long to struggle :

"The Battle of the Diamond! round, loyal, let it pass,
We'll drink it with a glowing soul and from a ruby glass;
Full let the rich red wine pour forth its fountain and its flood,
In token that the loyal won that battle with their blood.

"The Battle of the Diamond!—far let the watchword fly—
Where craven Popish rebels crouched upon the earth to die,
Slain by devoted men and true who fought with heart and blade,
And slaughtered in their ambush vile by swords they had betrayed."

The original object and obligation of the Orangemen was to exterminate the Catholics of Ireland. "I do swear," they said, "that I will be true to king and country, and that I will exterminate the Catholics of Ireland as far as in my power lies."

O'Connell was in Dublin in 1797. The politicians of the city at that time were accustomed to meet at a tavern in

Eustace-street. O'Connell, not yet called to the bar, sometimes attended those meetings, but took no part in the proceedings as he was not then a lawyer. Had he, with his warm Catholic feeling, taken a prominent part, he should have been in all probability hanged. He learned much by merely contemplating the political game. "I had," said O'Connell, "many good opportunities of acquiring valuable information upon which I very soon formed my own judgment. It was a terrible time. The political leaders of the period could not conceive such a thing as a perfectly open and above-board political machinery. My friend, Richard Newton Bennett, was an adjunct to the Directory of United Irishmen. I was myself a United Irishman. As I saw how matters worked I soon learned to have no secrets in politics."

Passing through Grafton-street one day about this period, O'Connell's attention was caught by the dapper person, keen black eyes, and gentlemanly neatness of a passenger. He ran after him, stopped before him, and gazed at him long and fixedly. This was Lord Edward Fitzgerald.

At that time the Directory to which O'Connell alludes was engaged in a correspondence with the republican rulers of France, and the Irish agents in the French metropolis were urging their claims to assistance with earnest zeal and consummate ability. The gifted men who held the reins of power acted with that energy, order, skill, and promptitude which republican France seemed to inherit from ancient Rome. Great preparations were made—armies were organised and fleets fitted out to aid the oppressed Irish in breaking their galling yoke. But divine Providence disposed it otherwise. Unforeseen events, which no human wisdom could counteract, frustrated the wise and beneficent efforts of the illustrious rulers. A raging tempest dispersed the fleet or expedition, and Ireland (as steam was not then utilised) escaped by a miracle. Despairing of further aid from France, thrown entirely upon their own resources, the Directory determined to organise Ireland for a general rebellion. The organisation of Leinster and Munster had been partially effected, that of Connaught not even attempted. Though to men like the members of the Directory—sly but bold, subtle but daring—this seemed a judicious course, fatal delay was the inevitable consequence. The Irish aristocracy, meantime, had leisure to ferret, with satanic cunning, into the secret tortuosities of the dark conspiracy, and thus obtained by the foulest instrumentality complete knowledge of its hidden ramifications. The awful

resolution was secretly taken, which men with a scintilla of morality would have shrunk from in horror, to goad the south to madness and force it by unheard-of cruelties to burst unprepared into premature resistance. They determined to create the rebellion, and then trampling it under foot, drown it in the blood and amid the cries of the rebels. Wexford was the first to break out, and the whole island was more or less afflicted by the horrible consequences. Almost every portion of the desolated country was swept by the fatal wind or deluged by the gloomy rain which burst from this tempest. Every one suffered. The destruction of seventy thousand citizens, and the waste of eighteen millions of public money, attested the severity of a struggle which lasted only eight months.

O'Connell in the spring of 1798 was called to the bar. He entered the "Lawyers' Yeomanry Corps" immediately afterwards. This corps contained many United Irishmen, and he felt apprehensive lest some of the black crawlers, then prowling about in every direction in search of human prey, should pounce upon and implicate him in treasonable proceedings. He accordingly quitted Dublin in the June of 1798.

O'Connell's voyage to the south was attended with more amusement than dignity, as it was performed in a potato boat. Owing to the disturbed state of the country, in which the rebellion was then raging, an overland journey was impossible. The voyage cost him half a guinea, and was accomplished in thirty-six hours. He landed at Cove, whence he proceeded to Kerry. The pleasure and hilarity with which he once more trod those breezy heights and picturesque scenes he passed his boyhood in, may be easily conceived. He himself delineates those scenes in a letter to Walter Savage Landor:

"Little do you imagine how many persons besides myself have been delighted with the poetic imaginings which inspired these lines on one of the wonders of my infancy—the varying sounds emitted by marine shells:

' Shake one and it awakens: then apply
Its polished lips to your attentive ear,
And it remembers its august abodes,
And murmurs as the ocean murmurs there.'

"Would that I had you here to show you their august abode in its most awful beauty. I could show you at noon-tide, when the stern south-wester had blown long and rudely, the mountain waves come tumbling in from the illimitable ocean in majestic succession, expending their gigantic form and throwing up stupendous masses of foam against the more

gigantic and more stupendous mountain-cliffs, that fence not only this my native spot, but form that eternal barrier which prevents the wild Atlantic from submerging the cultivated plains and high-steeped villages of proud Britain itself. Or were you with me amidst the Alpine scenery that surrounds my humble abode, listening to the eternal roar of the mountain torrent, as it bounds through the rocky defiles of my native glens, I would venture to tell you how I was born within the sound of the everlasting wave, and how my dreamy boyhood dwelt upon imaginary intercourse with those who are dead of yore, and fed its fond fancies upon the ancient and long-faded glories of that land which preserved literature and Christianity, when the rest of now civilized Europe was shrouded in darkness."

Owing to an absorbing passion for field-sports he was one day, while residing at Carhen, exposed for several hours to a heavy fall of drenching rain. Saturated with wet, but heedless of the consequences, he entered the rude hovel of a peasant, sat down by the fire, drank three glasses of whiskey, and fell asleep. This sleep proved well nigh fatal to O'Connell; he moped and wandered about dejectedly for a fortnight in a state of dismal gloom and discomfort. Deep seated disease was preying on his system, which he was obliged to yield to and take to his bed. He was pronounced, by the medical man who attended the family, in a high fever. Groaning on his pallet, O'Connell, from the pain he experienced, desired to die. A burning forest, flaming in wide-spread conflagration, seemed to wave round him in appalling brilliancy, as urged forward by some uncontrollable impulse he plodded, he fancied, through a wood of fire. He was delirious. With returning lucidity he became conscious of a growing rigidity of the spine, which alarmed him exceedingly, as he deemed it the harbinger of death. He made a powerful effort to resist the icy touch, and rising with great difficulty from his pallet, ghastly and thin, he convinced his father in a weak voice that he recognised him. In after life he attributed his recovery to that powerful effort. The well known lines of Douglas were at this time often on his lips :

"Unknown I die; no tongue shall speak of me;
Some noble spirits, judging by themselves,
May yet conjecture what I might have proved,
And think life only wanting to my fame."

"Long before that period," said O'Connell, speaking to O'Neill Daunt, "when I was seven years old—yes indeed as long as I recollect—I felt a presentiment that I should write

my name on the page of history. I hated Saxon domination. I detested the tyrants of Ireland."

During his illness he was informed by his medical attendant, among other gossip of the day, that Napoleon, at the head of his army, had marched successfully across the wilderness and reached Alexandria. "That is impossible," said the patient; "he cannot have done so—they would have been starved." "Oh, no," replied the doctor; "they had a quantity of portable soup, sufficient to feed the army for four days." "Aye," replied O'Connell, "but had they portable water? For their portable soup would be little use without the water to dissolve it." The medical gentleman, glancing hopefully at the mother, said in a low and satisfied tone, "His intellect at any rate is untouched."

The jovial hospitality of those times made itself manifest in extravagant customs. The liberal host was never satisfied unless he saw his guests under the table, dead drunk. The person who first in Iveragh refused to get drunk against his own will was Daniel O'Connell. On his return from the temple he introduced the fashion of retiring early, and soon had many abettors. Fortunately for himself he was in his youth unable to drink three glasses of wine without becoming unwell, and his tendency to temperance was aided by his personal convenience. He was the first who insisted that the door should not be locked during occasions of conviviality.

On such occasions O'Connell loved to preside at a side table at Derrynane.* A tall, gaunt, wiry, raw-boned man with splay feet and one shoulder higher than the other, was one day seated at the same table with the future Liberator. This tall, ugly man, whose ill made figure was in the last degree awkward and ungainly, was named Kane—"Cousin Kane," as he was universally termed. He was a great advocate of old Irish customs, and pursued with fidelity and perseverance the old mode of living termed "coshering." He lived from house to house, and kept two horses and twelve couple of dogs at other people's

* O'Connell was of opinion, according to O'Neill Daunt, that the word Darrynane is derived from two Irish words—*Darragh*, oaks, and *Inane*, ivy—"the Ived Oaks." In that case, however, Darrynane would be written *Ḍarr̃n-ann-aiḡnein*, and pronounced in all probability, *Darrynanean*, not Darrynane. A more probable etymology is *Ḍarr̃n-ann-aen*, "the solitary oak forest"—a name which, if the district produced no other forest of that description of timber, would be perfectly applicable. *Ḍarr̃n-ann-ēin*, "the oak wood of the bird," is not an impossible derivation, and some extraordinary and mystic bird may have haunted the wood in ancient times, and given rise to this romantic appellation.

expense—a mode of keeping domestic animals which he preferred to all others owing to its marked economy. Kane was the younger son of a good family, but did not confine his attentions exclusively to his own immediate relations. He claimed kindred everywhere, and as his descent was respectable he generally “had his claim allowed.” He was at once pious and profane, and mingled prayers and curses in a very startling manner—beginning with an ejaculation of sincere piety and ending with an oath of thundering sound. Kane was rather harsh in his manners, and somewhat quarrelsome in his disposition, as may be inferred from the fact that on one occasion, in the assizes of Tralee, seventy-six actions for assault and battery were pending against him.

Seated at the same table with the subject of our biography, “Cousin Kane” called for a glass of sherry. It so happened that a decanter of whiskey stood before Daniel, and the latter thinking it was sherry, which it exactly resembled in colour, filled “Cousin Kane’s” glass. Kane drank it off immediately, but became furiously exasperated on discovering it was whiskey. He scolded the blushing youth, who had generously treated him to “mountain dew,” with ferocious rage, concluding his vituperation by roaring in a tone of thunder, “Fill it again, sir!”

On the following morning, Kane got up at two o’clock and wakened O’Connell by his noise. “What are you about?” said young O’Connell, “the clock has only struck two.” “Do you think I am to be a slave to that lying devil of a clock ye have there?” raved Kane. “Do you think a gentleman like me is to be ruled and governed by a blackguard of a clock like that—eh? For what would I stay in bed if it struck twenty-two when I cannot sleep?”

The time was now come when revelry and pleasure were to give place to stern duties and arduous toils; O’Connell was to forsake the joyous scenes of his youth for those of his labours and honours.

It was a fine sunny morning; the whole face of nature beamed with a smiling and golden serenity as young O’Connell—his massive, ruddy, and intelligent face lighted up by hope—rode out of Carhen to proceed on his first circuit. His brother John jogged along beside him, and the two young men chatted cheerfully as they proceeded—the one to follow the hounds, the other to follow the toilsome drudgery of an arduous profession. When the brothers separated, the “counsellor” stood still and gazed long and wistfully after the retiring figure of his brother vanishing amid the hills. He longed to

enjoy the breezy slopes, the jocund cry, the roaring pleasures of the chase which his brother was about to share, but from which he was now to be debarred. On the disappearance of his brother, Daniel felt extremely melancholy; he remained for several minutes stock still, overwhelmed with dejection, pained in mind and sad of heart, then wheeling his horse he rallied his drooping spirits and proceeded musingly on his way.

Having quitted home at four, he reached Tralee at half-past twelve. In that town he got some refreshment, remounted his beast, and pushed on to Listowel. Forced by a shower of rain to take shelter under a bridge, he got into conversation with a gentleman named Robert Hickson who chanced to seek shelter in the same place. While the rain continued falling the following dialogue took place:

"Pray, where are you going?"

"I am going to Tarbert."

"You are very late."

"No! I am rather early. I have been up since four o'clock."

"Why, where do you come from?"

"From Carhen."

Amazed at the distance, which was nearly fifty miles, Hickson expressed his warm approval of O'Connell's activity. "You'll do, young gentleman," said he, "you'll do."

At five o'clock in the evening O'Connell was seen riding into Tarbert, having travelled sixty Irish miles during the day. Unacquainted with a single individual in Tarbert, and finding no books at the inn, his spirits sank at the dismal prospect of spending a lonely and melancholy evening in that dreary place. Luckily at this juncture a gentleman entered, whom O'Connell with delight recognised as an old friend. After some conversation—"I am going to a ball," said Ralph Marshall—for such was his name—"will you accompany me?"

"Why," said O'Connell, "I have ridden sixty miles."

"Oh! you don't seem in the least tired," said Marshall, "so come along."

Sallying out with his friend, O'Connell proceeded to the ball where, in spite of his previous fatigue, he remained dancing until two o'clock.

In the course of this circuit he received a brief from an attorney named James Connor. It so happened that the task of cross-examining one of the witnesses was thrown by the opposite counsel on young Daniel. Though this was his first

attempt at cross-examination, our young barrister did not shrink from the difficult task, nor did he, like some juniors whom we could mention, hand over the cross-examination to his senior. The witness under this cross-examination confessed that a pint of whiskey had been called for, and—he had taken his share of the pint.

“What quantity did you drink—how much was your share?” asked O’Connell.

“’Twas a good sup,” answered the witness.

“On the virtue of your oath, did not your share consist of all except the pewter?”

The witness was silent for a few minutes, but finally muttered, “It did.”

O’Connell’s peculiar mode of shaping the question elicited a loud and hearty laugh from the court. A veteran barrister, named Jeremiah Keller, congratulated the future “Liberator” on his *debut*, and assured him that he might confidently reckon on the most distinguished success.

O’Connell in his first circuit visited Limerick, Cork, and Tralee. Occupying a chaise in common with Harry Deane Grady, he posted from Cork to Dublin. In 1799 broken bands of fierce outlaws—the relics of the rebellion—still lurked, fire-lock in hand, in the Kilworth mountains, through which our travellers had to pass. The nature of the road added to the difficulty of traversing these mountains. In one place a deep ravine or glen was spanned by a narrow causeway, entirely unselvaged by guard walls, over which it was necessary to pass, and from which they might be readily precipitated into destruction by the slightest deviation from the narrow bridge. While spending the night at Fermoy inn, which was crowded to repletion by the judges and their attendants, four dragoons came clattering into the tap-room, one of whom was a corporal. This circumstance reminded our travellers of the robbers lurking in the glens before them, and the necessity of giving the knaves a warm reception. Addressing the corporal, Grady said :

“Soldier, will you sell me some powder and ball?”

“Sir, I don’t sell powder,” replied the corporal, who in his own opinion was no soldier.

“Will you then have the goodness to buy me some?” said Grady; “in these unsettled times the dealers in the article are reluctant to sell it to strangers like us.”

“Sir,” replied the corporal, “I am no man’s messenger but the king’s—go yourself.

"Grady," said O'Connell in a low tone, "you have made a great mistake. Did you not see by the mark on his sleeve that the man is a corporal? You mortified his pride in calling him a soldier, especially before his own men, amongst whom he doubtless plays the officer."

Having suffered a few minutes to elapse, O'Connell entered into conversation with the dragoon :

"Did you ever see such rain as we had to-day, *sergeant*? I was very glad to find that the regulars had not the trouble of escorting the judges. It was very suitable work for those awkward yeomen."

"Yes indeed, sir," returned the corporal, evidently flattered at being mistaken for a sergeant, "we were very lucky in escaping those torrents of rain."

"Perhaps, sergeant, you will have the kindness," continued Dan, "to buy me some powder and ball in town. We are to pass the Kilworth mountains, and shall want ammunition. You can of course find no difficulty in buying it; but it is not to every one they sell these matters."

"Sir," said the corporal, "I shall have great pleasure in requesting your acceptance of a small supply of powder and ball. My balls will, I think, just fit your pistols. You'll stand in need of ammunition, for there are some of those out-lying rebelly rascals on the mountains."

"Dan," said Grady in a low tone, "you'll go through the world successfully. That I can easily foresee."

They had no opportunity of displaying their courage or burning their powder in the mountains of Kilworth. They rolled along without suffering attack, and reached Dublin on the third day without meeting a single adventure.

During his first year at the bar O'Connell received £58; during the second, £150; during the third year, £200; the fourth year produced him £300 guineas.

He was not many months at his profession when he obtained an acquittal for a client whose gratitude greatly amused him. "I have no way *here* to show your honour my gratitude, but I wish to God I saw you knocked down in my own parish, and may be I wouldn't bring a faction to rescue you. Whoop! Long life to your honour!"

Two questions of vast importance in 1799 agitated and distressed the public mind of Ireland. One was the Veto, the other the Union. The object of the Veto was to transfer from the sovereign Pontiff of Rome to the Protestant monarch of England the power of naming Catholic bishops in Ireland.

Much as O'Connell may have wavered about the Veto, he seems to have felt the absurdity it involves profoundly when he said : " Do you know it has often amused me to think how the fable of Pope Joan, which was invented at our expense by some of the Reformed, has frequently been realised in the Anglican Church. The head of your Church is now for the fourth time a woman. I understand it was recently proposed that there should be an ecclesiastical regency during the occasional accouchements of the head of the Protestant Church, and that the Archbishop of Canterbury, pending those interesting intervals, should be invested with temporary functions of supremacy."*

The Archbishop of Canterbury, invested during the queen's illness with the power of *vetoing* Catholic bishops, would not, we may rest assured, suffer a single honest prelate to be appointed in our Church. It is the misfortune of every monarch outside the pale of the Catholic Church to be at once a king and a clergyman, a monarch and a missionary, a temporal prince and a spiritual pontiff. He wields two sceptres, and while flourishing the sword with one hand, brandishes the crozier with the other. This is a misfortune, because the state cannot exercise power in a proper manner over spiritual things.

Burke said that the government of England invested with the Veto would imitate the seraglio of Constantinople, which makes the miserable dignities of the Greek Church subservient to the factions of the harem. Those dignities are exposed to ridicule and laughter, and made the subject of sale. " The continual sale to which they expose and re-expose the same dignity," said Burke, " and by which they squeeze all the inferior orders of the clergy, is nearly equal to all the other oppressions together exercised by Mussulmen over the unhappy members of the Oriental Church."

As to the Veto, it seems quite certain that the origin of the measure should be ascribed to the board of English Catholics. In their anxiety for immediate admission into the pale of the constitution they attempted, in 1791, to make their Church independent of the Holy See, and adopted as their designation the name of Catholic Dissenters. As Plowden says: " The views of the English Catholics went far beyond those of the vetoists of Ireland—namely, to shake off their dependence upon the See of Rome, and establish national bishops not drawing their jurisdiction from the Christian primate; and this

* " Personal Recollections of O'Connell."

in accordance with the Jansenistical doctrines of Utrecht, and in the manner of the reformed English bishops from the time of Henry VIII. downwards."

The absurd views of the English Catholics were seized by Sir John Cox Hippenesley, who matured them into the project of the Veto—a project which was adopted by Mr. Pitt, who attempted to make it part of his arrangements for Ireland. Through the agency of Lord Castlereagh, Mr. Pitt induced the Irish bishops to acquiesce in the proposition and sign the resolution of 1799, which has been so much discussed, viz., "That in the appointment of the prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of government as may enable it to be satisfied with the loyalty of the person appointed is just, and ought to be agreed to." This was a most questionable resolution, which tended in the most serious manner to compromise the liberty of the Catholic Church. Religious liberty consists in the power of the clergy to conduct ecclesiastical affairs in an ecclesiastical manner, to shut out from the internal arrangements of the Church the interference of intermeddling laymen. This power would unquestionably be compromised by the concession in question, which gave to a hostile aristocracy a perilous pretext for canvassing the character and merits of ecclesiastical dignitaries, and prohibiting the elevation of ecclesiastics if they were not supple instruments of oppression. The lord lieutenant, unable to form an idea of their merits, could not discern which of the clergy was fit to be a bishop. He should hand them over to the lord-lieutenants of counties, justices of peace, and other persons, who for the purpose of vexing and turning into derision our miserable people, would pick out the most obnoxious they could find, to preside over the rest.

At this time, however, the Catholics were under the erroneous impression that by assenting to the Veto and acquiescing in the Union they increased their chances of obtaining Emancipation. So excessive had been their sufferings from the Irish Protestants, that the Catholics, writhing under torture, lent a willing ear to representations which the hypocritical aristocracy never contemplated realising.

Not satisfied with swindling—the aristocracy combined fraud which was loathsome, with cruelty which was satanic. They carried the Union, not only by cajoling the Catholics but by stifling public opinion, forcibly suppressing public meetings, annihilating all protection of liberty; by armed violence, trials by court-martial, and the familiar use of tor-

ture. The Habeas Corpus Act was suspended while the Union was under discussion, in order to produce by terror a mute acquiescence in a measure which was ruinous. Unlimited power was vested in courts-martial, and no man for a single hour was sure of his limbs, his liberty, or his life. No rule of evidence or definite form of charge bound those irresponsible courts, which threatened with death all who dared to resist the spoliation of their birth-right. The persons of the king's Irish subjects were exposed to the caprice of the king's minister, and for the most cruel and tyrannical imprisonment no redress could be obtained by a native of Ireland. A motley rabble-rout of English militia, Scotch fencibles, and Irish yeomanry, formidable to every one but the enemy, were masters of the lives and liberties of the people. In short, this act of robbery was perpetrated by the British minister when the gaols were crammed with wretches unaccused of offence—and the scaffolds crimson with the blood of victims untried for crime.

Plunket expressed himself on the subject of the Union in the following words: "I will be bold to say that licentious and impious France, in all the unrestrained excesses that anarchy and atheism have given birth to, has not committed a more insidious act against her enemy than is now attempted by the professed champion of civilised Europe against Ireland—a friend and ally in the hour of her calamity and distress. At a moment when our country is filled with British troops—whilst the Habeas Corpus Act is suspended—whilst trials by court-martial are carrying on in many parts of the kingdom—whilst the people are made to believe that they have no right to meet or deliberate, and whilst they are palsied by their fears—at the moment when we are distracted by internal dissensions—dissensions kept alive as the pretext of our present subjugation and the instrument of our thralldom—such is the time in which the Union is proposed."*

Among the atrocities which contributed to carry the Union the following is not undeserving of attention. Lord Cornwallis issued an order, authorising any man in a military capacity to kill any other man whom he might suspect of rebellious practices! This bloody ordinance had the natural effect of causing thousands to be butchered with brutal ferocity.

One afternoon in 1798 a yeoman belonging to Hudson's corps stationed in Bray in the county Wicklow, presented himself

* To facilitate the Union, the government intended to awe the Irish by means of Russian troops.—*Vide Correspondence of Castlereagh*

at the lodge which stood at the entrance of Mrs. La Touche's grounds, and which was kept by a poor woman named Delany.

"I want to see your son," exclaimed the yeoman.

"My boy," replied the widow, "is lying down in fever, sir, these ten days, from which I am afraid he will never rise."

"Oh! that excuse," said the yeoman, "will not impose on me. Let me see him this moment."

"Well, sir, please to step down to the room."

"No, I will not," was the answer; "he must come here."

The terrified mother went to her boy, raised him from the bed, and sustained him languid and drooping to the outer room. The yeoman when he saw him, drew a pistol from his breast and shot him dead—upon the bosom of his widowed parent, crying, "Take that you b——y Papist rebel, and be d——d."

A gentleman, remarkable for patriotism, wrote a note to Mrs. La Touche which was published in the *Dublin Evening Post*, calling upon her to demand satisfaction for this foul assassination. Coerced by this public address, Mrs. La Touche obtained an audience of Lord Cornwallis, who, at her solicitation ordered a court-martial to sit on the case. The president of the court-martial was Lord Enniskillen:

The fact of the murder was satisfactorily proved, and the yeoman was called on for his defence. He simply produced the general order sanctioned by Lord Cornwallis, held it up and said, "I am a loyal Protestant yeoman of Captain Hudson's corps, and I swear I suspected Delany of rebellious principles."

The court, without deliberation, acquitted the Protestant yeoman of the murder of the Papist—and Hoollahan, for such was his name, walked forth in triumph!*

The friends of the La Touche family canvassed this trial, if so the process can be called, very loudly. It reached the ears of Lord Cornwallis, who professed to have never heard of the general order on which the yeoman had acted (he certainly ought to have heard of it), and with some show of anger his lordship had it notified, "that no officer on that court-martial should in future sit on any other court-martial."

Lord Enniskillen, exasperated at this reproof, retired from Dublin, growling and swearing in his rage to give every possible opposition to the measure which Lord Cornwallis had come to Ireland to effect—the Legislative Union of the two kingdoms.

Lord Cornwallis was alarmed at this circumstance. He had

* *Vide* "Captain Rock's Letter to the King."

hoped by his soldierly bearing and plausible manners to cajole the gentry, while his bayonets coerced the vulgar with violence and bloodshed, into acquiescence in the Union. He was annoyed that Lord Enniskillen, who had one vote in the Lords and two in the Lower House, should throw his heavy weight into the scale of the oppositionists.

Cole is the family name of Lord Enniskillen. The first of the Coles who came to Ireland was the son of a pack-saddle-maker in East Grinstead, Sussex. The fellow enlisted as a common soldier, and became in process of time military executioner or provost-marshal in this country. Owing to his rigorous cruelty to the native Irish, the maker of pack-saddles received the honour of knighthood. He also obtained a large booty in the shape of Irish land from which the true owners had been swept away, and on which the boroughs were situated that gave Lord Enniskillen the three votes which alarmed Lord Cornwallis.

To mitigate his anger Lord Cornwallis waited on the sulky peer in his country seat, and, by means which the dispensers of patronage so thoroughly understand, converted the mutinous lord into a staunch supporter of the Legislative Union :

“Blest paper credit ! last and best supply,
That lends corruption lighter wings to fly,
Gold imp'd by thee can compass hardest things,
Can pocket states—can fetch or carry kings.
A leaf, like sybil's, scatters to and fro
Our fates and fortunes as the winds may blow ;
A single leaf shall waft an army o'er,
Or ship off senates to a distant shore.”

At that time all classes in Ireland were distressed and distracted by conflicting passions and jarring apprehensions.—The loyalists were distracted by the embers of the rebellion, which, though torrents of blood had been poured on them, seemed to their scared imaginations burning under their feet. The insurgents were distracted between the hopes of mercy and the fear of punishment. The Catholics, anxious to maintain the legislative independence of their country, were befooled by the viceroy with delusive hopes of emancipation—whilst the Protestants were inspired with equal certainty of maintaining their ascendancy ; and every encouragement was held out to the dissenters, especially the Presbyterians of Ulster engaged in the linen manufacture. All classes were distracted by hopes and fears. Lord Cornwallis and Lord Castlereagh seemed to have been created to be “ architects of ruin.” Both were characterized by unremitting perseverance, an absence of all poli-

tical compunction, a disregard of every constitutional principle, and an unqualified contempt for public opinion—without which they could not have carried a measure so unpopular as the Union.

Against this pernicious measure, O'Connell delivered his first speech. Before the meeting could be held at which he spoke, the Catholics found it necessary to ask his excellency's permission to meet—a permission which was graciously conceded, because the viceroy knew that the meeting must be fruitless. The Royal Exchange was the scene, and Philpot Curran drew up the resolutions. The chair was taken by an excellent citizen named Ambrose Moore. While they were debating, Major Sirr entered the hall at the head of a body of yeomanry who grounded arms with a heavy clash on the stone pavement.

"Let me see the resolutions," said Major Sirr.

"Here they are," said the chairman.

Major Sirr read them with apparent attention. Then jerking them on the table said, "There is no harm in them." And wheeling round, he quitted the place followed by his yeomanry.

Mr. O'Connell's speech was a summary of the reasons which induced the Catholics to hold this meeting. He said the question of the Union was of vast importance, and the Irishman must be degraded who regarded it with apathy. He should not therefore apologise for introducing its discussion. To the Catholics it appeared unjust, illiberal, and impolitic to separate themselves from the main body of their fellow-countrymen on a question so important. They could not submit to the disgraceful imputation of approving a measure as detestable to them as it was ruinous to their country. Therefore they came forward as a distinct body to oppose the Union. It had been stated that Catholics were favourable to the Union: they were bound to prove that they were not. It was said that they were willing to sell their country for a price. That calumny was flung on the whole body—the whole body should contradict it. If their emancipation were offered in exchange for their consent, they would reject it with prompt indignation (applause). "Let us," said he, "show Ireland we have nothing in view but her good—nothing but mutual forgiveness in our hearts. Let every man who feels with me proclaim, that were the alternative offered him of the Legislative Union or the re-enactment of the penal code, he would prefer the latter as the lesser evil." He would rather confide in the justice of Irish Protestants than lay his country at the feet of foreigners (applause). "If any man be so de-

graded as to consent to the extinction of the name and the liberty of Ireland, I would at least call on him not to leave to strangers whom he could not control the direction and management of his commerce and property." O'Connell then concluded by moving the resolutions, which being seconded and passed, the meeting dissolved.

His appearance on the occasion was dignified and prepossessing; his frame muscular, strongly knit, and active; and his face extremely comely, the features being softly mellowed, yet determinedly manly. His fine countenance, which beamed with national intelligence, had an expression of open frankness, accessibility, and inviting confidence, and showed nothing of that wily malignity imputed to him in after times by the tories. The hateful imputation was at once repelled by his bright and amiable blue eyes, the most kindly and honest-looking that can be conceived.

In delivering this speech, which was the text-book of his after life, O'Connell's face glowed with diffidence and his ears tingled at the sound of his own voice, but he gradually recovered as he went on. O'Connell in after times proved, by an amusing line of argument, that he possessed modesty. He said, "Whatever my original amount of that article may have been, I certainly never have worn any of it out by too frequent use, so that I have the whole original stock quite ready for service." On the occasion of his first speech he certainly exhibited a large amount of embarrassment and modesty.

The part taken by O'Connell in this meeting was rather displeasing to the members of his family, particularly his uncle Maurice, who regarded politics as a dangerous sea which his nephew was ill qualified to navigate. Maurice did not approve of the Union, but he considered it too wide and perilous a question for his nephew, who should, he thought, restrict his efforts to some matter more directly concerning the Catholics.

In making the preceding speech, as indeed in all his forensic efforts, the model O'Connell kept before him seems to have been Pitt. "He struck me," said O'Connell, "as having the most majestic flow of language and the finest voice imaginable. He managed his voice admirably. It was from him I learned to throw out the lower tones at the close of my sentences. Most men either let their voice fall at the end of their sentences, or else force it into a shout or screech. This is because they end with the upper instead of the lower notes. Pitt knew better. He threw his voice so completely round

the House that every syllable he uttered was distinctly heard by every man in the House."

Among the men who excited the indignation of O'Connell at this time, by his efforts to ruin the country and carry the Union, we may reckon Lord Clare. The father of this unprincipled adventurer was an apostate priest, whose first appearance on the stage of noticeable affairs was in the shape of a ragged stripling without shoes or stockings, who was discovered by an Irish gentleman, squatting near the kitchen fire of an inn, within a few miles of St. Alban's in England. The Irish gentleman, who had not witnessed such a mass of rags since he quitted Ireland, inquired to what part of the country he belonged, on which the lad croaked out, "Plaze your honour, I am a poor gossoon out of the county Limbrick in Ireland. My father, Tom Gibbings, did die, your honour; and my mammy did go for to marry that thief, Terry Lochlin, and it's what he turned me out, your honour. Isn't he labourer to Mr. O'Dell at the Grove? But myself got a little Latin afore that, and it's begging my way I am to St. Omer's in foreign parts, in hopes to be a priest an' plaze your honour."

"We are countrymen, my boy," said the gentleman; "I am from the county Limerick also." So saying, he presented the beggar boy with a crown, and bade him a safe journey.

The miserable mendicant prosecuted his journey to St. Omers, from whence he returned to Ireland *a priest*, and followed the profession for a few years. Having, however, compromised his character by a violation of his sacerdotal vows, he was suspended. He immediately turned Protestant, and bent his course to the Temple in London, where he studied law for a few years, and on his return was called to the bar.

As (though nominally a Protestant) he was considered a Catholic at heart, the Catholics of Munster gave him a great deal of business, in consequence of which he acquired a considerable estate, which his son, John Fitzgibbon, as he termed himself, inherited.

Having been educated in the Protestant faith, this youth was sent to Oxford; from thence he proceeded to the Temple, and finally to Ireland. In Ireland he apparently entered into all the frivolities of fashionable life, but really devoted himself to the study of law, of which he acquired a perfect knowledge. Fitzgibbon never affected patriotism—derided any opposition to the existing authority, and having purchased a seat, flung himself at once into the ranks of corruption. His peculiarity of

countenance, voice, and manner—his flippancy of assertion and audacity of bearing—rendered him remarkable amongst the leaders of the ministerial party. Still his ascent to eminence must have been slow, had not his sister attracted the attention and pleased the fancy of the Archbishop of Tuam, brother to the Marquis of Waterford, whose family name is Beresford. Owing to the absence of exercise, it often happens that the understanding becomes blunted by the long enjoyment of wealth and power. The Beresfords had power—Fitzgibbon had talent, and infused the seething animation of poisonous lymph into the sluggish mass of muddy aristocracy.

The attainment of power rather than the accumulation of wealth early engrossed the attention of Fitzgibbon. Knowing that the loud avowal of detestation of the Irish and their religion was the “open sesame” of office in Ireland, this son of a Catholic father, who had sprung from the humblest class of the people, manifested on all occasions a fiery zeal in denouncing them. By vituperation of this nature, he passed from the office of attorney-general to the seat of chancellor, and ultimately to the earldom of Clare.

The motto he assumed, “*Nil admirari*,” is usually translated, “Nothing is to be wondered at;” but a different translation renders it more applicable to him, viz., “Admirable in nothing.”

Fitzgibbon was mainly indebted to Henry Grattan for his elevation to the woolsack. His ingratitude was flagrant. “From that time forth,” says Grattan, “his country and myself were the two peculiar objects of his calumny.

Seated on the woolsack the haughty arrogance of the new lord chancellor could only be exceeded by the crawling subserviency of the House of Lords. Feeling his intellectual superiority, they quailed before his anger like hounds beneath the lash; and, forgetful of their own factitious rank and the real dignity of Ireland, yielded without resistance to his despotic dictation.

Relying on the promises of the minister, the Catholics believed that their emancipation was certain if they aided or acquiesced in the Union. The Duke of Wellington, in 1828, publicly admitted that the Catholics had been deluded by the lying promises of the aristocracy. A written letter of Lord Clare’s confirms the spoken testimony of the Duke of Wellington. Lord Clare says, writing to his fraudulent associate, Castlereagh—16th October, 1798—“I have seen Mr. Pitt, the chancellor, and the Duke of Portland who seem to feel very

sensibly the critical situation of our damnable country, and that the Union alone can save it. I should have hoped that what has passed would have opened the eyes of every man in England to the insanity of their past conduct with respect to the Papists of Ireland; but I can plainly perceive they were as full of their Popish projects as ever. I trust and I hope that they are fairly inclined to bring the measure forward unincumbered with Emancipation. Lord Cornwallis has intimated his acquiescence on this point, and Mr. Pitt is decided upon it."

The fact is, that without the permission of the Protestant garrison of Ireland, the British aristocracy could not conveniently concede Emancipation—an argument which was frequently urged by Lord Clare, who was not long in converting Pitt to his way of thinking. On October 27th, 1792, Lord Camden, writing to Lord Castlereagh, says: "Mr. Pitt is inclined most strongly to a Union on a Protestant basis." Thus it was the determined antagonism of Lord Clare, not the scruples of a half-sane monarch, which frustrated the hopes of the Catholics, and stamped the measure of the Union with the same infamous perfidy as the treaty of Limerick.

When the Legislative Union took place, O'Connell happened to be in Dublin. A dull torpor seemed to hang drearily over the doomed metropolis. There was no excitement. The deadly hatred with which the measure was regarded by all, except the governmental dependents, had settled sullenly down into hopeless despondency. Meantime the cymbal-like clash of the joybells of St. Patrick's cathedral smote his ear and maddened him to fury. The glad chimes of the silver-toned bells were celebrating the degradation of Ireland as joyously as if it was some glorious national festival. The bells alone were uproarious—the universal city was buried in funereal sadness. As to O'Connell, his young blood boiled, and he secretly vowed that the foul dishonour should not endure, if his political exertions could ever terminate the ignominy.

About this time O'Connell was counsel against a gentleman, who was so irritated by his answer to evidence that he started up in the court and called the speaker a purse-proud blockhead. O'Connell assured him that he was mistaken. "In the first place, I have no purse to be proud of; and secondly, if I be a blockhead it is better for you, as I am counsel against you. However, to save you the trouble of saying so again, I'll administer a slight rebuke;" and he thwacked him soundly on the back with a cane. O'Connell, the following day, received a challenge from the offended party, which was speedily followed

by a second letter, stating that the writer had discovered since penning the challenge that O'Connell's name was inserted in a valuable lease of his. "Under these circumstances," said he, "I cannot afford to shoot you unless you first insure your life for my benefit. If you do, then I'm your man."

"The year of the Union," said O'Connell, "I was travelling through the mountain district from Killarney to Kenmare. My heart was heavy at the loss that Ireland had sustained, and the day was wild and gloomy. That desert district, too, was congenial to impressions of solemnity and sadness. There was not a human habitation to be seen for many miles; black, giant clouds sailed slowly through the sky and rested on the tops of the huge mountains. My soul felt dreary, and I had many wild and Ossianic inspirations as I traversed the bleak solitude."

The Union, though ruinous to the country at large, was profitable to two classes of men—the manufacturers of Ulster who dealt in linen, and the aristocracy who trafficked in boroughs: two hundred and seventeen in number—the aristocracy held two hundred and twenty-six boroughs. All the movements, all the machinations which took place during the thirty years preceding the Union, had for their result the enhancement of the money value of boroughs. When Great Britain was embarrassed by the disasters of the American war, the aristocracy threw themselves into the revolutionary movements of the Irish Volunteers. When the discomfiture of the rebellion had drowned their country in tears and blood, they joyously sold their boroughs for £15,000 each, or exchanged them for a rise in the peerage, which was equivalent to £15,000. The unfortunate people, who were thus bought and sold, paid the price of the nefarious transactions which ruined them.*

The total sum paid for rotten boroughs, at an average of £15,000 each, was £1,260,000, of which the Marquis of Downshire received £52,000 as his share, the Marquis of Ely £45,000, the Earl of Shannon £45,000, Lord Claremorris £23,000, together with a peerage—and so on. The traffickers in corruption, who wore coronets and possessed boroughs, were paid in proportion to their treachery in the present and the political turpitude they had practised in the past. Their treachery is perhaps the most striking evidence of the degra-

* Twenty-thousand pounds defeated the opposition to the Scotch Union—a sum barely sufficient to stop the coroneted patriotism of a single voter, when Lord Castlereagh sold Ireland, "wholesale and retail for exportation."

dation of the Irish. An enlightened people and an anti-national aristocracy could not co-exist.

Regarding with abhorrence the undisguised venality of the peers, O'Connell was often tempted to ask—

“Is there a lord who knows a cheerful noon
Without a fiddler, flatterer, or buffoon?
Whose table, wit, or modest merit share
Unelbowed by a gamester, pimp, or player?”

Certainly very few—judging from the baseness which disgraced their proceedings when selling their country at the time of the Union.

The contempt and loathing with which their frauds inspired O'Connell was frequently expressed. On one occasion O'Connell was informed by Pierce Mahony that he had seen an old musket in the Duke of Leinster's house in Dominick-street, which the father of the existing duke had shouldered in the ranks of the Volunteers. “Aye,” said O'Connell, “but why does not the slobbering fellow take his father's musket?—eh! Mahony, why does not he?”* The reason was very plain—there was no money to be made by the proceeding.

The disgust with which the nefarious conduct of the aristocracy inspired O'Connell was not confined to *his* breast. When Lord Charlemont informed the Volunteers, in reply to their proposition for reform, that “however desirable parliamentary reform might be and was, it was admissible only on the basis of Protestant ascendancy,” the people saw through the political juggle.

There was at that time a publican in Dungannon who had kept the sign of “The Goat,” which he exchanged for a portrait of his lordship when that nobleman was in the noontide of his popularity. No sooner had the preceding reply on the question of reform reached the public than Lord Charlemont's popularity vanished, and the practice of the inn began to decline. Thereupon another publican, the rival of “The Lord Charlemont,” displayed the device of the goat, and was carrying all before him. This was sensibly felt by the former proprietor, who determined on resuming the ancient name of his house; but being loath to displace the picture, which was an excellent likeness, he contented himself with the following inscription, painted in large letters, over the head of Lord Charlemont in full uniform: “THIS IS THE REAL OLD GOAT.”

The conduct of the Ulster linen manufacturers was characterised by equal perfidy and followed by equal gain. As

* O'Neill Daunt's “Personal Recollections.”

O'Connell said himself, "Not one regiment of the northern Presbyterian insurgents ever stood to arms as such. All seemed very fine on paper, but there was very little reality. Their officers used to meet at taverns, plotted together, made valiant resolutions, and saw everything *couleur de rose*. The Presbyterians fought badly at Ballynahinch. They were commanded there by one Dickie, an attorney; and as soon as the fellows were checked they became furious Orangemen, and have continued so ever since."

The nature of their reward may be discovered in the flourishing condition of the Ulster linen trade, which, when the three other provinces are in rags, covers the Protestant north with the bloom of general prosperity. That manufacture has been spared by the all-devouring rivalry of Britain, when the other manufactures of Ireland are swallowed up or swept away. The Ulstermen's motive in acquiescing in the Legislative Union has been explained by one of themselves, who, writing from Coleraine, 23rd January, 1799, says to Lord Castlereagh: "Our linen manufacture is in the most flourishing state, which makes the wealth of this province, and ought to make us all happy." The independence of their country was sold by the Ulstermen for what they considered the security and prosperity of the linen manufacture. They receive annually £2,000,000 sterling from America in exchange for their goods, and this circumstance reconciles them to the calamities which the Union inflicts on three provinces of Ireland. The primary object of the Union was to render manufacturing industry impossible in Catholic Ireland, and by strangling Irish prosperity, arrest that dread bugbear of Ulster—the "growth of Popery." The Union originated in an English intolerance of the manufacturing industry of Irish Catholics. Eighteen millions were expended in first getting up and then putting down the rebellion—that is, in bloodshed! Nine millions were expended in carrying the Union—that is, in corruption. This money was not, in the opinion of the aristocracy, unprofitably expended; because subsequently, between 1820 and 1830, two-thirds of all the manufactories in Ireland were closed and abandoned as ruinous investments. To prove the destructive effects of the Union on Irish trade, it is only necessary to state that a year before the Union, or in 1799, the lists of bankrupts shows, in January none, in February two, in March one, in April none, in May two, in June one; in all six. Ten years after the Union the list of bankrupts shows, in January ten, in February eighteen, in March eigh-

teen, in April twenty-three, in May forty-seven, in June thirty-six; in all 152. The object of the Union was to reduce Ireland to that condition which the Duke of Wellington exultingly alluded to when he said: "There is no country in the world where poverty exists to such a degree as in Ireland."

The origin of Lord Castlereagh, who was the perpetrator of the Union, is at once so curious and so little known as to merit particular attention. The real name of the Londonderry family is Gregor. The first of them who figured in Ireland was Rob Gregor, a Scotch pedlar, or old-clothes man, who imported secondhand apparel into the county Down. This rag-man, in a drunken broil at Dumbarton, knocked out his adversary's eye; and, apprehensive of punishment, fled his native Scotland and took refuge in Ulster. In this province he entered the service of a shop-keeper named Robinson, in Newtownards, and for years he might be seen trudging slowly through the country with his heavy pack upon his stooping shoulders, and a yard in his hand, endeavouring to sell the goods which his master confided to his integrity.

When Robinson died, his childless widow married the Scotch hawker, who became in consequence owner of a shop and a bishop's lease worth £20 a-year. The son of these people was bred to the business, and in process of time married a girl named Orr, a kind of mantua-maker, to whom the youth was attracted by a prospect she was said to have from a man named Stewart, her maternal uncle, who having gone to India to seek his fortune was rumoured to be successful, and who at length died abroad and left his niece a considerable property—so much beyond Gregor's anticipations that he even wanted assurance to continue his suit. The true-hearted girl expressed to a mutual friend her surprise and regret at her lover's absence, in terms which modesty did not forbid nor could decorum censure. They were married, and Gregor thereupon assumed the royal name of Stewart *without license* from the Herald's office.

This couple had a son named Rob or Robert, who was to be educated as a gentleman; and who, in process of time, was sent to the Temple to study law, or eat his way to the bar. Stewart, the father, had purchased estates with Miss Orr's money, and gained some footing in the borough of Newtownards. An English lord, the Earl of Hertford, was at that time the greatest landed proprietor in the county Down. To him our young Stewart became known, and actually obtained one of his daughters in marriage. On his father's death he became

a man of property, allied to aristocracy, and *owner of a borough*; and having at length risen to the peerage, became so influential that his son Robert, in 1790, was a candidate for the county Down, on what is humourously termed the popular interest. Nay, he opposed successfully the powerful leading of the Marquis of Downshire, to whose servants' hall the grandfather of Robert would have found it difficult to gain admission.

The son of Lord Londonderry was the famous Castlereagh, or, as he was jocosely termed in the county Down, *Castle-rag*, in allusion to the occupation of his grandfather the old clothesman.

In the year 1799, O'Connell entered the Society of Free and Accepted Masons. His lodge, which met in Dublin, was numbered 189. He filled the duties of master of that lodge with exemplary fidelity, and often delivered the ritual of the several degrees with that impressive manner and bewitching voice which in after days captivated his hearers at the bar, at public meetings, and in the senate. O'Connell himself in after times confessed this. "It is true," he writes, "I was a freemason and master of a lodge: it was at a very early period of my life, and either before an ecclesiastical censure had been published in the Catholic Church in Ireland prohibiting the taking of the masonic oaths, or at least before I was aware of that censure. Freemasonry in Ireland," adds O'Connell, "may be said to have (apart from its oaths) no evil tendency, save as far as it may counteract the exertions of those most laudable and useful institutions, the temperance societies. The important objection is the profane taking in vain the awful name of the Deity in the wanton and multiplied oaths—oaths administered on the book of God—without any adequate motive." O'Connell retired from the Society, or to use the amusing expression of a mason, "a dark hour came upon him and he shunned the light."

In the winter of 1801, O'Connell partook of a supper with a jovial party at the Freemasons' Tavern then at the corner of Golden-lane. As he was returning home, full of claret, he saw the glow of a conflagration reddening the sky and streaks of fire rising above a smoking mass. A timber-yard burst into awful flames, which were spreading rapidly, and threatened to swallow the entire street in destruction. "Water!" was the cry, but the difficulty of reaching the pipes seemed insuperable to the crowded labourers, who were striking the earth but making no progress. O'Connell shouldered one of them away,

seized the fellow's pickaxe, and speedily reached the plug. Animated by the claret which he had previously taken, O'Connell continued wielding the pickaxe when his exertions were unnecessary. He would ere long have ripped up the pavement, and covered and confused the whole street with a medley of rubbish and stones. Sheriff Macready, who was aided by a company of English militia, called on him to stop, but being under the influence of excitement he refused to desist—when a soldier ran a bayonet at him, which was intercepted only by the cover of his hunting watch. “If I had not had the watch,” said O'Connell, when relating this adventure,” there was an end of the Agitator.”

During some years subsequently to the meeting at the Royal Exchange, O'Connell seems to have renounced politics. At least he took no prominent part in the timid agitation which the Catholics, chained and cowed by their own aristocracy, were feebly and impotently pursuing. But meantime he applied himself to the duties of his profession with gigantic energy. Owing to the disabilities which still embarrassed Catholic lawyers—the links which yet jangled on their robes—the persuasive power, those wonderful talents as an advocate which rendered him so remarkable in after times, could not be displayed by O'Connell. He could not wear a silk gown, and the opportunity of addressing a jury was rarely accorded to him. He was obliged to shrink from the great and exciting battle-ground of forensic ability, into the criminal courts. He was obliged to confine himself to cross-examination. But in proportion to the difficulties thus opposed to him, his talent for cross-examination developed itself prodigiously. Perhaps no lawyer ever exhibited the same amount of ability in that department. O'Connell appeared to divine the secret thoughts and feelings of the witness. The habits and character of his countrymen were by him so thoroughly understood, that he could penetrate their motives with unerring perspicacity.

His cross-examination usually commenced with some question which had apparently no connexion with the trial, and when he had by wit and humour succeeded in amusing, confounding, and perplexing the witness—when he had alternately puzzled him and put him into good humour—he suddenly reverted to the subject of the direct examination. Plying the witness then with a series of questions which gradually led him to enmesh himself in a labyrinth of contradictions, he flew back to some irrelevant subject, which diverted the wit-

ness's attention from his own discrepancies, and hindered him from seeing the maze in which he was floundering. O'Connell's cross-examination consisted of a series of attacks and retreats, which gradually clouded the minds of the judge and jury with serious doubts as to the witness's credibility—and this even when the witness was veracious. As a necessary consequence he became the favourite lawyer in the criminal court of the Munster circuit, and often rescued the victim of agrarian oppression from the fangs of law and the ignominy of the gallows.

O'Connell on one occasion was engaged in a will case. It was the allegation of the plaintiffs that the will—by which considerable property had been devised—was a forgery. The subscribing witnesses swore that the will had been signed by the deceased while “life was in him”—a mode of expression derived from the Irish language, and which peasants who have ceased to speak Irish still retain. The evidence was altogether in favour of the will, and the defendants had every reason to calculate on success, when O'Connell undertook to cross-examine one of the witnesses. He was struck by the persistency of this man, who in reply to his questions never deviated from the formula, “the life was in him.”

“On the virtue of your oath, was he alive?”

“By the virtue of my oath, the life was in him,” repeated the witness.

“Now I call on you in the presence of your Maker, who will one day pass sentence on you for this evidence; I solemnly ask—and answer me at your peril—was there not a live fly in the dead man's mouth when his hand was placed on the will.”

The witness was palsied by this question; he trembled, shivered, and turned pale, and faltered out an abject confession that the counsellor was right—a fly had been introduced into the mouth of the deceased to enable the witnesses to swear that life was in him!*

Notwithstanding the versatile talents and solid learning which O'Connell manifested, his religion excluded him from much valuable business. In those days a Catholic was never heard in the courts of justice with that gracious approval and smiling encouragement which dissipates timidity, and cheers and animates a young and sensitive advocate. On the other hand, O'Connell was always a favourite with a common jury, because his broad humour usually enabled him to have the laugh at his

* Fagan's “Life of Daniel O'Connell.”

side, and because his religion was often identical with that of the jurymen. Nor was this all ; the attorneys on the Munster circuit gradually learned that a degree of reliance might be placed on O'Connell's pleadings which could not be attached to those of any other junior member of the bar. His astonishing skill in cross-examination ; the caution, the dexterity, and judgment which he displayed in conducting a case, the clearness and precision with which he disentangled the most intricate mass of evidence, especially in matters of account, procured for him the entire confidence of all those who had legal patronage to dispense. At *nisi prius* his manner alone was enough to persuade an Irish jury that his client must be right. His anticipation of victory always seemed so unfeigned, that he seldom failed to create in the minds of every spectator a prejudice in favour of the party who had the good fortune to engage his services.

An anecdote which O'Connell told his secretary illustrates the foregoing : "I recollect I once had a client, an unlucky fellow, against whom a verdict had been given for a balance of £1,100. We were trying to set aside that verdict. I was young at the bar at that time ; my senior counsel contented themselves with abusing the adverse witnesses, detecting flaws in their evidence, and making sparkling points ; in short, they made very flourishing, eloquent, but rather ineffective speeches. While they flourished away I got our client's books, and taking my place immediately under the judges' bench, I opened the accounts and went through them all from beginning to end. I got the whole drawn out by double entry, and got numbers for every voucher. The result plainly was, that so far from there being a just balance of £1,100 against our poor devil, there actually was a balance of £700 in his favour, although the poor slovenly blockhead did not know it himself. When my turn came, I made the facts as clear as possible to judge and jury ; and the jury inquired if they could not find a verdict of £700 in his favour. I just tell you the circumstance," continued O'Connell, "to show you that I kept an eye on that important branch of my profession."*

Among the evil consequences which were entailed by that pernicious measure, the Union, on the Irish people, a foremost place must be given to the depravation of justice. A number of men were foisted on the bench whose only qualification was their political profligacy, and who received the ermine because they betrayed the country. No less than nine individuals can

* O'Neill Daunt's "Recollections."

be named who were entrusted with the power of administering law, because in their conduct they had violated every principle of political justice. As lawyers they were ignorant, as senators they were perfidious, as men they were equivocal—and therefore, they were made judges. Judge Daly was one of these. Daly was ignorant of law, but very skilful in duelling—he could always shoot the friends of Ireland with his pistols in the field, though he could not reply to them by his eloquence in the House. This talent was thoroughly understood by the aristocracy—and therefore they raised him to the bench. Norbury was another who, like a highwayman, was indebted to his pistols for his promotion. O'Connell described him as “one of Castlereagh's unprincipled Janizaries.” Norbury was descended from a Cromwellian soldier. His original inheritance was £500, charged upon his brother's estate, the interest of which enabled him to scramble through Trinity College and the Temple. He married the daughter of an old miserly Dublin attorney named Hector Graham, whose ill-gotten money enabled him to purchase corruptly a seat in the House of Commons, where, as well as at the bar, he played his part so successfully that he became attorney-general, and finally chief justice of the common pleas.

“He was indeed a curious judge,” said O'Connell. “He had a considerable parrot-sort of knowledge of law—he had upon his memory an enormous number of cases, but he did not understand, nor was he capable of understanding, a single principle of law. To be sure, his charges were the strangest effusions. When charging the jury in the action brought by Guthrie *versus* Sterne to recover damages for criminal conversation with the plaintiff's wife, Norbury said: ‘Gentlemen of the jury—the defendant in this case is Henry William Godfrey Baker Sterne—and there, gentlemen, you have him from stem to Sterne. I am free to observe, gentlemen, that if this Mr. Henry William Godfrey Baker Sterne had as many Christian virtues as he has Christian names, we never should see the honest gentleman figuring here as defendant in an action for *crim. con.*’”*

The noisy bursts of indecorous merriment which his puns produced seemed to afford him unmixed satisfaction.

“What is your calling or occupation, my honest man?” he once asked a witness. “Please your lordship, I keep a racket court.” “*So do I,*” rejoined Lord Norbury, chuckling in ex-

ulting allusion to the noise, uproar, and *racket* which his witticisms constantly awakened in court.

"When they were burying Norbury," added O'Connell, "the grave was so deep that the ropes by which they were letting down the coffin did not reach to the bottom. The coffin remained hanging at mid depth while somebody was sent for more rope. 'Aye,' cried a butcher's apprentice, 'give him rope enough. It would be a pity to stint him. It's himself never grudged a poor man the rope!'"

Towards the bench (contemptible as it then was) the manner of O'Connell was respectful and independent, and at times even stern; but towards his colleagues he was ever sociable and kind. He loved to throw the ægis of his intellectual power over the young and sensitive barrister, wincing under the stern repulsiveness of some hoary and supercilious judge; he not only supported his own dignity, he defended the privileges of others when their shrinking timidity would have surrendered to the bench the prerogatives of the bar. In the court of common pleas, when Mr. J. Martley rose to make his first motion with that embarrassment and solicitude which are inseparable from a first effort, the young man was rudely interrupted several times by Judge Johnson, who heard him with visible ill-humour and impatience. Johnson's truculence was the more painful to young Martley as it was aided by the petulant jocoseness of Norbury, who sat beside Johnson and flung squibs at Martley. The young barrister blushed, stammered, and went floundering into a maze of confusion and difficulty, when O'Connell entered the court. Moved to pity by the obvious distress of the young man, O'Connell urged the elder barristers to interpose in his behalf, but they shrank back in alarm and refused to interfere. O'Connell threw his shield over him at once. "My lords, I respectfully submit that Mr. Martley has a perfect title to a full hearing. He has a duty to discharge to his client, and should not, I submit, be impeded in the discharge of that duty. Mr. Martley is not personally known to me, but I cannot sit here in silence while a brother barrister is treated so discourteously." "Oh! Mr. O'Connell, we have heard Mr. Martley," said Lord Norbury, "and we cannot allow the time of the court to be further wasted." "Pardon me, my lord, you have not heard him. The young gentleman has not been allowed to explain his case—an explanation which, I am quite sure, he is capable of giving if your lordships afford him the opportunity." "Mr. O'Connell," said Judge Johnson, with an air of great pomposity, "are you engaged in this case

that you thus presume to interfere?" "My lord, I am not; I merely rise to defend the privileges of the bar, and I will not permit them to be violated either in my own or the person of any other member of the profession." "Well, well; well, well," interposed Lord Norbury, "we'll hear Mr. Martley—we'll hear Mr. Martley. Sit down, Mr. O'Connell—sit down."

Having thus carried his point Mr. O'Connell, in obedience to the bench, sat down; and Mr. Martley, whose gratitude to O'Connell was sincere and lasting, stated his case so satisfactorily as to obtain his motion.

O'Connell, on one occasion, was engaged to defend a highwayman who had committed robbery on the public road in the vicinity of Cork, and owing to the masterly manner in which O'Connell sifted the evidence and cross-examined the witnesses the robber was let loose. The following year, on returning to Cork, O'Connell saw the same hardened face resting on the same well-worn dock, grim and ruffianly, and accused of very nearly the same crime—burglary accompanied by an aggravated assault, which was proximate to murder. The culprit, as in the former case, was fortunate enough to secure the services of O'Connell, who puzzled the witnesses, perplexed the judge, and bewildered the jury—owing to whose hopeless disagreement the prisoner was discharged. His industrious client when restored to liberty had no notion of sitting down in sluggish idleness; on the contrary, he stole a collier-brig, sold the cargo, purchased arms with the price, and cruised along the coast in quest of booty; and when O'Connell returned to Cork he was once more in the dock charged with piracy. For the third time his defence was undertaken by O'Connell. O'Connell showed that the crime did not come under the cognizance of the court, as it had been perpetrated on the high seas; it came under the cognizance only of the Admiralty. The gratitude of the prisoner was warmly expressed—raising his hands and eyes to heaven, he exclaimed, "Oh! may the Lord spare you *to me!*"

"O'Connell was on another occasion counsel, before Judge Day, for a man who stole some goats. The fact was proved, whereupon O'Connell produced to Judge Day an old act of parliament, empowering the owners of corn-fields, gardens, or plantations to kill and destroy all hares, rabbits, and goats trespassing thereon. O'Connell contended that this legal power of destruction clearly demonstrated that goats were not property, and thence inferred that the stealer of goats was not legally a thief or punishable as such. Judge Day was so unacquainted

with law that he charged the jury accordingly, and the prisoner was acquitted. Curran used to say that Day's efforts to understand a point of law resembled an attempt to open an oyster with a rolling-pin.

A farmer was captured in the act of killing game on the grounds of a landed proprietor, three of whose servants had secured the poacher, and were ready to swear that they caught him in the act. The culpability of the poacher was so palpable that the defence seemed perfectly hopeless to O'Connell. He refused to take a fee. "I can render your client no service; his guilt is undeniable," said O'Connell. "I confess the defence looks desperate," said the attorney, "but you will greatly oblige me by undertaking it." After considerable altercation O'Connell reluctantly took the fee and proceeded to examine the first witness. "We shall remove the other two witnesses," whispered the attorney. "By no means," replied O'Connell, "my only hope of success is in their presence; let them remain."

The keen perspicacity of O'Connell enabled him to see that each of the witnesses was desirous of engrossing the entire merit of effecting the capture. Each witness in succession undervalued the part played by the other two—he, and he alone, was the hero of the apprehension. The assumption of the first mortified the vanity of the second, who was irritated to find himself undervalued—a circumstance which led him, in his rage, to contradict his colleague, and to gratify his inordinate vanity he silenced the whisperings of conscience.

"Now will you answer me one additional question?" said O'Connell to the last witness, "and then perhaps I'll have done with you."

"If you promise to ask me no more questions, I'll answer you any way you like."

"Very well! Remember you said so. Now by the virtue of your oath, is not the prisoner innocent?"

"By the virtue of my oath," said the witness, determined to deprive his colleagues of the merit of the capture as he himself could not monopolise it all—"by the virtue of my oath, he is innocent."

The poacher was acquitted.

Engaged on another occasion to defend a man accused of murder, O'Connell despaired of success, owing to the nature of the evidence, which seemed quite conclusive. The principal witness was a boy, whose eagerness and petulance attracted the attention of O'Connell. Taking the measure of his mind

in a moment, O'Connell determined to avail himself of his impetuosity to entangle him in a wilderness of contradiction.

"How do you know the prisoner is the man who committed the murder?"

"I know him," answered the boy, "by the mark on his cheek."

"On which cheek was the mark?"

"On his right cheek," replied the boy in unthinking impetuosity.

By the right cheek the boy understood the cheek which was opposed to his own right hand. Could he have expressed his meaning he must have convicted the prisoner, who had a mark on his cheek, but it was the left cheek—the very one which the witness meant. This discrepancy enabled O'Connell to save the life of the prisoner. The real criminal, who was subsequently brought to light, was marked on the right cheek.

This power of seizing upon trifles and magnifying them into importance, enabled O'Connell in many instances to save the innocent from destruction, and frustrate the wanton vagaries of purse-proud oppression.

O'Connell's appearance when going the circuit has been described in a graphic manner by an able but anonymous writer. He says: "I had sat down at the inn of the little village, and had placed myself in the window. The market was over; the people had gradually passed to their homes; the busy hum of the day was fast dying away. The sun was sinking and threw his lingering beams into the neat but ill-furnished apartment where I was sitting. To avoid the glare of his beams I changed my position, and this gave me a more uninterrupted view of the long street, which threw its termination into the green fields of the country. Casting my eyes in this direction, I beheld a chariot-and-four coming towards me enveloped in a complete cloud of dust, and the panting horses of which were urged on with tremendous rapidity. Struck with the unexpected arrival of such a vehicle in that place, I leaned out of the window to observe its destination, and beheld it still rolling hurriedly along and sweeping round the angle of the street towards the inn with increased violence. If my reader has been much used to travelling, he will be aware that the moment a postilion comes in sight of an inn, he is sure to call forth the mettle of his horses—perhaps to show off the blood of his cattle. This was the case at present, and a quick gallop brought the vehicle in thundering noise to

the door, where Shenstone says is to be found, 'the warmest welcome.' The animals were sharply checked, the door was flung open, and the occupier hurriedly threw himself out.

"'Bring out four horses, instantly!' was the command he uttered in the loud voice of haste and authority.

"The inmate of the carriage was about five feet eleven and a half inches high, and wore a portly, stout, hale, and agreeable appearance. His shoulders were broad, and his legs stoutly built; and as he at that moment stood, one arm in his side pocket, the other thrust into a waistcoat, which was almost completely unbuttoned from the heat of the day, he would have made a good figure for the rapid but fine-finishing touch of Harlowe. His head was covered with a light fur cap, which partly thrown back, displayed that breadth of forehead which I have never yet seen absent from real talent. His eyes appeared to me, at that instant, to be between a light blue and a gray colour. His face was pale and sallow, as if the turmoil of business, the shade of care, or the study of midnight had chased away the glow of health and youth. Around his mouth played a cast of sarcasm, which, to a quick eye, at once betrayed satire; and it appeared as if the lips could be easily resolved into *risus sardonicus*. His head was somewhat larger than that which a modern doctrine denominates the 'medium size;' and it was well supported by a stout and well-founded pedestal which was based on a breast—full, round, prominent, and capacious. The eye was shaded by a brow which I thought would be more congenial to sunshine than storm, and the nose was neither Grecian nor Roman, but was large enough to readily admit him into the chosen band of that 'immortal rebel'* who chose his body-guard with capacious lungs and noses, as affording greater capability of undergoing toil and hardship. Altogether he appeared to possess strong physical powers.

"He was dressed in an olive-brown surtout, black trowsers, and black waistcoat. His cravat was carelessly tied—the knot almost undone from the heat of the day; and as he stood with his hand across his bosom, and his eyes bent on the ground, he was the very picture of a public character hurrying away on some important matter which required all of personal exertion and mental energy. Often as I have seen him since, I have never beheld him in so striking or pictorial an attitude.

"'Quick with the horses!' was his hurried ejaculation, as he recovered himself from his reverie and flung himself into his

* Cromwell—thus called by Lord Byron.

carriage. The whip was cracked, and away went the chariot with the same cloud of dust and the same tremendous pace.

"I did not see him pay any money. He did not enter the inn. He called for no refreshment, nor did he utter a word to any person around him; he seemed to be obeyed by instinct. And while I marked the chariot thundering along the street, which had all its then spectators turned on the cloud-enveloped vehicle, my curiosity was intensely excited, and I instantly descended to learn the name of this extraordinary stranger.

"Most *mal apropos*, however, were my inquiries. Unfortunately the landlord was out, the waiter could not tell his name, and the hostler 'knew nothing whatsomdever of him, oney he was in the most uncommonest hurry.' A short time, however, satisfied my curiosity. The next day brought me to the capital of the county. It was the assize time. Very fond of oratory, I went to the court-house to hear the forensic eloquence of the 'home circuit.' I had scarcely seated myself when the same greyish eye, broad forehead, portly figure, and strong tone of voice arrested my attention. He was just on the moment of addressing the jury, and I anxiously waited to hear the speech of a man who had already so strongly interested me. After looking at the judge steadily for a moment, he began his speech exactly in the following pronunciation—'My Lurrd—gentlemen of the jury—'

"'Who speaks?' instantly whispered I.

"'Counsellor O'Connell,' was the reply."

Counsel in a case in which his client was capitally charged, O'Connell undertook the defence, although the attorney considered the chances as utterly hopeless. O'Connell knew it was useless to attempt a defence in the ordinary way, the evidence being more than sufficient to insure a conviction. Sergeant Lefroy, then very young, happened to preside in the absence of one of the judges who had fallen ill. Knowing the character of the judge, O'Connell put a number of illegal questions to the witness, which the crown prosecutor immediately objected to. The learned sergeant decided rather peremptorily that he could not allow Mr. O'Connell to proceed with his line of examination. "As you refuse me permission to defend my client, I leave his fate in your hands," said O'Connell—"his blood will be on your head if he be condemned." O'Connell flung out of the court in apparent displeasure, and paced up and down on the flagway outside for half an hour. At the end of this time he saw the attorney for the defence rushing out in a great hurry without his hat. "He's acquitted! he's acquitted!" ex-

claimed the attorney, in breathless haste and joyous exultation. O'Connell smiled with a peculiar expression at the success of his stratagem—for such it was. He knew that a judge so young as Lefroy must naturally shrink in horror from the terrible responsibility of destroying human life. He therefore flung the onus upon the judge, who, in the absence of O'Connell, took up the case and became unconsciously the advocate of the prisoner. He conceived a prejudice in favour of the accused, cross-examined the witnesses, and finally charged the jury in the prisoner's favour. The consequence was the complete and unexpected acquittal of the accused. "My only chance," said O'Connell, "was to throw the responsibility on the judge, who had a natural timidity of incurring a responsibility so serious." The keen vulpine sagacity of the men who were often opposed to O'Connell rendered profound astuteness on his part absolutely indispensable.

"The cleverest attorney that ever I heard of," said O'Connell, "was one Checkley, familiarly known by the name of Checkley-be-d——d. Checkley was agent once at the Cork assizes for a fellow accused of burglary and aggravated assault, committed at Bantry. The noted Jerry Keller was counsel for the prisoner, against whom the charge was made out by the clearest circumstantial evidence—so clearly that it seemed quite impossible to doubt his guilt. When the case for the prosecution closed, the judge asked if there were any witnesses for the defence. 'Yes, my lord,' said Jerry Keller, 'I have three briefed to me.' 'Call them,' said the judge. Checkley immediately bustled out of court, and returned at once leading in a very respectable farmer-like man, with a blue coat and gilt buttons, scratch wig, corduroy tights, and gaiters. 'This is a witness to character, my lord,' said Checkley. Jerry Keller (the counsel) forthwith began to examine the witness. After asking him his name and residence, 'You know the prisoner in the dock?' said Keller. 'Yes, your honour, ever since he was a gossoon.' 'And what is his general character,' said Keller. 'Ogh! the devil a worse.' 'Why, what sort of a witness is this you've brought?' cried Keller, passionately flinging down his brief and looking furiously at Checkley; 'he has ruined us!' 'He may prove an alibi, however,' returned Checkley; 'examine him to alibi as instructed in your brief.' Keller accordingly resumed his examination. 'Where was the prisoner on the 10th instant?' said he. 'He was near Castlemartyr,' answered the witness. 'Are you sure of that?' 'Quite sure, counsellor.' 'How do you know with such cer-

tainty?' 'Because upon that very night I was returning from the fair, and when I got near my own house I saw the prisoner a little way on before me—I'd swear to him anywhere. He was dodging about, and I knew it could be for no good end. So I stepped into the field and turned off my horse to grass; and while I was watching the lad from behind the ditch, I saw him pop across the wall into my garden and steal a lot of parsnips and carrots, and what I thought a great deal worse of, he stole a brand-new English spade I had got from my landlord, Lord Shannon. So faix I cut away after him; but as I was tired from my day's labour, and he being fresh and nimble, I was not able to ketch him. But next day my spade was seen, surely, in his house; and that's the same rogue in the dock. I wish I had a houl't of him.' 'It is quite evident,' said the judge, 'that we must acquit the prisoner; the witness has clearly established an alibi for him. Castlemartyr is nearly sixty miles from Bantry, and he certainly is anything but a partizan of his. Pray, friend,' addressing the witness, 'will you swear informations against the prisoner for his robbery of your property?' 'Troth I will, my lord! with all the pleasure in life, if your lordship thinks I can get any satisfaction out of him. I'm told I can for the spade, but not for the carrots and parsnips.' 'Go to the crown office and swear informations,' said the judge.

"The prisoner was of course discharged, the alibi having been clearly established. In an hour's time some inquiry was made as to whether Checkley's rural witness had sworn informations in the crown office. That gentleman was not to be heard of; the prisoner also had vanished immediately on being discharged, and of course, resumed his mal-practices forthwith. It needs hardly be told that Lord Shannon's *soi disant* tenant dealt a little in fiction, and that the story of his farm from that nobleman, and of the spade and the vegetables, was a pleasant device of Mr. Checkley's. I told this story," continued O'Connell, "to a *coterie* of English barristers with whom I dined, and it was most amusing to witness their astonishment at Mr. Checkley's unprincipled ingenuity. Stephen Rice declared he would walk fifty miles to see Checkley."

O'Connell could not be awed by the judges, who, differing from him in politics as they did, were often overbearing and hostile. By the sheer force of legal and intellectual power, he beat down the most formidable hatred, and compelled the bitterest personal rancour to give way. If they were haughty, he was proud. If they were malevolent, he was cuttingly

sarcastic. Happening to be one day present in the courts in Dublin, where a discussion arose on a motion for a new trial, a young attorney was called upon by the opposing counsel either to admit a statement as evidence, or hand in some document he could legally detain. O'Connell stood up and told the attorney to make no admission. "Have you a brief in this case, Mr. O'Connell?" asked Baron M'Clelland, with very peculiar emphasis.

"I have not, my lord; but I shall have one when the case goes down to the assizes."

"When *I* was at the bar it was not *my* habit to anticipate briefs."

"When *you* were at the bar I never chose *you* for a model, and now that you are on the bench, I shall not submit to your dictation."

Leaving the judge to digest this retort, he walked out of court, accompanied by the young attorney.

At a case tried at the Cork assizes, a point arose touching the legality of certain evidence, which O'Connell argued was clearly admissable. He sustained his own view very fully—reasoning with that force and clearness, and quoting precedents with that facility, for which he was distinguished. But it was to no purpose. "The court ruled against him, and the witnesses were shut out. The trial was of extraordinary length, and at the close of the day the proceedings were not ended. On the following morning when the case was about to be resumed, the judge addressed O'Connell. "I have reconsidered my decision of yesterday," said his lordship, "and my present opinion is, that the evidence tendered by you should not have been rejected. You can therefore reproduce that evidence now." Instead of obsequiously thanking him for his condescension, as another would have done, O'Connell's impatience broke out. "Had your lordship known as much law yesterday morning as you do to-day," said O'Connell bitterly, "you would have spared me a vast amount of time and trouble, and my client a considerable amount of injury. Crier, call up the witnesses." The judge felt the rebuke acutely, but remained silent.

"There was a barrister of the name of Parsons at the bar in my earlier practice," said O'Connell, "who had a good deal of humour. Parsons hated the whole tribe of attorneys; perhaps they had not treated him very well—but his prejudice against them was eternally exhibiting itself. One day, in the hall of the Four Courts, an attorney came up to him to beg

his subscription towards burying a brother attorney who had died in distressed circumstances. Parsons took out a pound note. 'Oh, Mr. Parsons,' said the applicant, 'I do not want so much; I only ask a shilling from each contributor.' 'Oh, take it—take it,' replied Parsons; 'I would most willingly subscribe money any day to put an attorney under ground.' 'But really, Mr. Parsons, I have limited myself to a shilling from each person.' 'For pity's sake, my good sir, take the pound—and bury twenty of them.' "

"One of the most curious things I remember in my bar experience," said O'Connell, "is Judge Foster's charging for the acquittal of a homicide named Denis Halligan, who was tried, with four others, at the Limerick assizes many years ago. Foster totally mistook the evidence of the principal witness for the prosecution. The offence charged was aggravated manslaughter committed on some poor wretch whose name I forget. The first four prisoners were shown to be criminally abetting; but the fifth, Denis Halligan, was proved to have inflicted the fatal blow. The evidence of the principal witness against him was given in these words: 'I saw Denis Halligan, my lord (he that's in the dock there) take a *vacancy** at the poor soul that's kilt, and give him a wipe with a *cleh-alpeen*,† and lay him down as quiet as a child.' The judge charged against the first four prisoners, and sentenced them to seven years' imprisonment each; then proceeding to the fifth, the rascal who really committed the homicide, he addressed him thus: 'Denis Halligan, I have purposely reserved the consideration of your case for the last. Your crime, as being a participator in the affray, is doubtless of a grievous nature; yet I cannot avoid taking into consideration the mitigating circumstances that attend it. By the evidence of the witness it clearly appears that *you* were the only one of the party who showed any mercy to the unfortunate deceased. You took him to a vacant seat, and you wiped him with a clean napkin, and (to use the affecting and poetic language of the witness) you laid him down with the gentleness one shows to a little child. In consideration of these circumstances, which considerably mitigate your offence, the only punishment I shall inflict on you is an imprisonment of three week's duration.' So Denis Halligan got off by Foster's mistaking a *vacancy* for a vacant seat, and a *cleh-alpeen* for a clean napkin."‡

O'Connell was asked on one occasion by his secretary, O'Neill Daunt, "whether the Irish bar had not a higher repu-

* Aim.

† A bludgeon.

‡ O'Neill Daunt.

tation for wit in the last century than the present?" He said they had now no such wit as Curran; but that other members of the bar participated in a great degree in the laughter-stirring quality. "Holmes," said he, "has a great share of very clever sarcasm. . . . Plunket had great wit; he was a creature of exquisite genius. Nothing could be happier than his hit in reply to Lord Redesdale about the *kites*. In a speech before Redesdale, Plunket had occasion to use the phrase *kites* very frequently, as designating fraudulent bills and promissory notes. Lord Redesdale, to whom the phrase was quite new, at length interrupted him, saying: 'I don't quite understand your meaning, Mr. Plunket. In England kites are paper playthings used by boys; in Ireland they seem to mean some species of monetary transaction.' 'There is another difference my lord,' said Plunket. 'In England, the wind raises the kites; in Ireland, the kites raise the wind.'

"Curran was once defending an attorney's bill of costs before Lord Clare. 'Here now,' said Clare, 'is a flagitious imposition; how can you defend *this* item, Mr. Curran?—' 'To writing innumerable letters, £100.'" 'Why, my lord,' said Curran, 'nothing can be more reasonable. *It is not a penny a letter.*' And Curran's reply to Judge Robinson is exquisite in its way. 'I'll commit you, sir,' said the judge. 'I hope you'll never commit a worse thing, my lord!' retorted Curran.

"Wilson Croker, too," said Mr. O'Connell, "had humour. When the crier wanted to expel the dwarf O'Leary, who was about three feet four inches high, from the jury-box in Tralee, Croker said, 'Let him stay where he is—*De minimis non curat lex*' (Law cares not for small things). And when Tom Goold got retainers from both sides, 'Keep them both,' said Croker; 'you may conscientiously do so. You can be counsel for one side, and of use to the other.'"

Speaking of Judge Day while he was yet alive, O'Connell said: "No man would take more pains to serve a friend; but as a judge they could scarcely have placed a less efficient man upon the bench. . . . He once said to me at the Cork assizes, 'Mr. O'Connell, I must not allow you to make a speech; the fact is, I am always of opinion with the last speaker, and therefore I will not let you say one word.' 'My lord,' said I, 'that is precisely the reason why I'll let nobody have the last word but myself, if I can help it.' I had the last word, and Day clargel in favour of my client. Day was made judge in 1798. He had been chairman of Kilmainham,

with a salary of £1,200 a-year. When he got on the bench, Bully Egan got the chairmanship."

"Was Bully Egan a good lawyer?"

"He was a successful one; his bullying helped him through. He was a desperate duellist. One of his duels was fought with a Mr. O'Reilly, who fired before the word was given; the shot did not take effect. 'Well, at any rate, my honour is safe,' said O'Reilly. 'Is it so,' said Egan—'egad, I'll take a slap at your honour for all that.' And Egan deliberately held his pistol pointed for full five minutes at O'Reilly, whom he kept for that period in the agonies of mortal suspense."

"Did he kill him?"

"Not he," replied O'Connell; "he couldn't hit a hay-stack. If courage appertained to duelling, he certainly possessed it. But in everything else he was the most timid man alive. Once I stated, in the court of exchequer, that I had, three days before, been in the room with a man in fever 120 miles off. The instant I said so, Egan shuffled away to the opposite side of the court through pure fear of infection."

Judge Day was a simpleton, but Judge Boyd was worse—he was a drunkard. "He was so fond of brandy," said O'Connell, "that he always kept a supply of it in court, upon the desk before him, in an ink-stand of peculiar make. His lordship used to lean his arm upon the desk, bob down his head, and steal a hurried sip from time to time through a quill that lay among the pens; which manœuvre he flattered himself escaped observation."

"One day it was sought by counsel to convict a witness of having been intoxicated at the period to which his evidence referred. Mr. Harry Deane Grady laboured hard upon the other hand to show that the man had been sober. 'Come now, my good man,' said Judge Boyd—'it is a very important consideration; tell the court truly, were you drunk or were you sober upon that occasion?'

"'Oh, quite sober, my lord,' broke in Grady, with a very significant look at the ink-stand—'as sober as a judge.'"

Humble as was O'Connell's opinion of the judges, his estimation of their wigs was, if possible, still more disparaging. His commentary on this grotesque article of head-tire, which the good sense of the Americans has very properly discarded, seems to prove that if he slighted the contents of the judicial head, he had even less respect for the horse-hair which envelops it. He said: "The judges of the land who come down to preside in your courts, with all their solemn gravity and

antiquated harlequinade, astonish the people with their profusion of horse-hair and chalk! For must not every one think what a formidable, terrible fellow he is that has got twenty-nine pounds weight of an enormous powdered wig on his head. This is all humbug of the old times, and I long to see it kicked away, with many other antiquated absurdities and abuses."

O'Connell had strong convictions against the law of punishment by death. In a speech delivered at a public meeting he said: "I myself defended three brothers of the name of Cremin. They were indicted for murder. The evidence was most unsatisfactory. The judge had a leaning in favour of the crown prosecution; and he almost compelled the jury to convict them. I sat at my window as they passed by, after sentence of death had been pronounced; there was a large military guard taking them back to jail, positively forbidden to allow any communication with the three unfortunate youths. But their mother was there; and she, armed in the strength of her affection, broke through the guard. I saw her clasp her eldest son, who was but twenty-two years of age; I saw her hang on the second, who was not twenty; I saw her faint when she clung to the neck of the youngest boy, who was but eighteen; and I ask what recompense could be made for such agony? They were executed, and—they were innocent!"

With all his talents, however, his success was not uniform; he sometimes failed. A cow-stealer, for example, whom he had repeatedly defended, was finally transported. On returning from New South Wales, many years after, O'Connell met his quondam client. "How did it happen," asked O'Connell, "that the cows you stole were always fat?" The significant reply was: "When your honour goes for to shtéal a cow, mind, it's no use your goin' of a fine night; but go to shtéal her always of a black night, when it's rainin' torrents and blowin' whirlwinds, for nobody else will be out barrin' yourself on a bad night like that. The wilder the night, the easier you'll shtéal the cow. And when your honour goes into the field where you're going to shtéal her, don't be for takin' the cow that's crudlin' near the ditch, becasse she's surely a lean cow; but shtéal the cow that stands out in the rain. She's worth shtéalin'. She's fat, and does not want shelther. That's the cow for your honour to shtéal." O'Connell thanked his informant, and promised, with every appearance of sincerity, to follow his directions to the letter when, abandoning the painful drudgery of the law, he adopted the exciting and ad-

venturous and not always unprofitable profession of stealing cows.

Daniel O'Connell was married privately on the 23rd June, 1802, in Dame-street, Dublin, at the lodgings of Mr. James Connor, brother-in-law of the bride. The ceremony was performed by the Rev. Mr. Finn, then parish priest of Irish-town. Mary O'Connell—for such was the bride's maiden-name—was the daughter of a medical man in Tralee, much esteemed for his professional skill, but not sufficiently enriched with the gifts of fortune to furnish his amiable daughter with a dower. She was the cousin of her husband. Many months this private marriage was kept a profound secret, but finally his family became aware of the nuptials, and their indignation was extreme. O'Connell's uncle was particularly displeased.

"I never," said O'Connell, "proposed marriage to any woman but one—my Mary. I said to her, 'Are you engaged, Miss O'Connell?' She answered, 'I am not.' 'Then,' said I, 'will you engage yourself to me?' 'I will,' was her reply. And I said I would devote my life to make her happy. She deserved that I should. My uncle was desirous I should obtain a much larger fortune, and I thought he would disinherit me. But I did not care for that. I was richly rewarded by subsequent happiness. She had the sweetest, the most heavenly temper, and the sweetest breath." "Mrs. O'Connell," says Fagan, "was an exceedingly amiable, strong-minded woman; and Mr. O'Connell, it was said, was during her life guided very much by her advice."

On one occasion, responding to a toast given in honour of his wife, O'Connell said:

"There are some topics of so sacred and sweet a nature, that they may be comprehended by those who are happy, but cannot possibly be described by any human being. All that I shall do is to thank you in the name of her who was the disinterested choice of my youth, and who was the ever-cheerful companion of my manly years. In her name I thank you. And this you may readily believe—for experience, I think, will show to us all, that a man cannot battle and struggle with the malignant enemies of his country, unless his nest at home is warm and comfortable—unless the honey of human life is commended by a hand that he loves."

Certain observations of O'Connell on the manner in which courtship should be carried on, serve at once to illustrate the profound astuteness of his mental constitution and the mode in which he doubtless conducted his own courtship. "It is inju-

ditions on the part of a lover," he said, "to offer marriage at an early period of his courtship. By this precipitation he loses the advantage which female curiosity must otherwise afford him, and in sapping his way to her heart discards a powerful auxiliary. He may be tender and assiduous, but should not declare himself until the lady's curiosity is awaked and piqued as to his intentions. In this way he awakes in her heart a certain interest concerning him, which he may forfeit the moment he proposes."

Speaking of a friend (Tom Steele) who had proposed for a widow, he said: "As to his telling her that he was confident of brilliant political distinction, and holding out as a lure that she would be the sharer of his honours, it showed great want of tact—great want of knowledge of human nature. If he had tact he would have said, 'I am opening a career of ambition; perhaps I over-rate my prospects of success in public life; but there is one thing which I deeply feel would essentially contribute to it, and that is *domestic felicity*.' He should have spoken this with a tender earnestness, and left her to conjecture his meaning. But instead of thus delicately feeling his way, he blurted out his trashy bag of successful ambition and fame and his offer of marriage all at once. Then as to raptures—why every woman past girlhood laughs at raptures. He had fine opportunities, but did not know how to make use of them."

These remarks prove that if O'Connell was not a man of genius, he was at least a man of profound sagacity, and possessed a wonderful insight into the workings of the human heart.

The coldness of his kinsmen and the pecuniary difficulties into which his portionless marriage plunged him, had the effect of arousing his giant-like energies, and rendering him ere long the most industrious man in Ireland. O'Connell knew—what many of his young countrymen forget—that the secret of the practical failure in after-life of so many promising young persons is, that they never learn that a man's capacity and success in the world is estimated, not by what he *can* do, but by what he *actually* accomplishes. Thrown upon his own resources, O'Connell entered the battle of life with that animal energy and activity of mind which distinguished and sustained him during the brilliant meridian of his political career. The high estimation which the public and the profession placed on his services was the natural consequence of his habitual and systematic industry, and of the ambition which burned

within him to attain distinction and a name. Feeling sensibly his responsibilities as a husband and a father, he devoted himself to the pursuit of his profession and the study of the law with that iron will and patient perseverance which formed the mental complement of his large, ample, and massive frame. He gradually became an impressive and powerful advocate. He was at once impassioned and discreet, vigorous and argumentative, forgetful of himself and zealous for his client—playful in his broad humour and prompt in his caustic wit, and always capable of applying some story fraught with ridicule, or affixing some stinging epithet irresistibly ludicrous to an opponent, which the annoyed and irritated victim could never shake off. With all this, O'Connell possessed a power of the deepest pathos, and thus was enabled to keep his audience alternately in tears and in roars of laughter. Standing before a judge and jury, it was impossible to conceive a more powerful advocate. Perhaps the faculty of moving the passions and feelings of a jury was never possessed in the same degree by any other orator. The deep melody of O'Connell's voice added force and dignity to what he uttered, and removed the effect which must be otherwise produced by a French pronunciation grafted on a Kerry brogue. The minor tones of his voice struck upon the heart with the solemn music of a distant bell at nightfall. In this respect O'Connell enjoyed a marked advantage over Curran, whose melting thoughts and burning words were delivered in a shrill, cracked voice, without due pause or emphasis or variety of intonation.

In the year of O'Connell's marriage, Emmet's rebellion broke out. Of that rebellion O'Connell expressed a disparaging opinion. He said: "I ask you whether a madder scheme was ever devised by a Bedlamite? Here was Mr. Emmet, having got together about £1,200 in money and seventy-four men, whereupon he makes war on George III. with 150,000 of the best troops in Europe and the wealth of three kingdoms at his command! Why, my dear sir, poor Emmet's scheme was as wild as anything in romance."

Emmet's hopes will not appear so visionary if we recollect that he was promised the assistance of Napoleon I. Relying on this promise, which he received alike from Bonaparte and his minister, Emmet quitted Paris for Dublin in October, 1802. War with England, as Napoleon told him, was to break out in 1803, and the invasion of Ireland was to follow it. Emmet employed himself in preparing for this invasion by establishing a secret society, and swearing in numbers of reso-

lute adherents. The oath was kept with inviolable fidelity, and when the insurrection broke out the government was unacquainted with the complot—at least, the lord lieutenant knew nothing of it. It was only when a magazine accidentally exploded in Patrick-street and precipitated Emmet into immediate action, that the Irish government measured with alarm the extent of its danger. Emmet had intended to wait till August, 1803 ; but this unforeseen accident left him no alternative but instantaneous insurrection. By this blaze of explosion he saw too clearly that nothing remained for him and his followers but to rush upon their tyrants, and to sell their own lives as dearly as possible. He summoned his followers, on the 23rd July, to rally round his standard in James'-street. When that day came they did not rally in sufficient number.

Emmet expected the rising of the men of Dublin, the advance of the men of Ulster, and the descent of the men of Wicklow. In all he was disappointed. The missive he hoped to send to Ulster could not be dispatched, and the message he forwarded to Wicklow was never delivered. As to Dublin—he was standing in his depot, surrounded by sworn partisans, when an excited messenger rushing in, exclaimed with breathless haste : “ The soldiers—the soldiers are upon us ! ” “ If so,” exclaimed Emmet, who was incapable of despair, “ we shall sell our lives pretty dearly. Follow me ! ”

Marching in the direction of the Castle, Emmet was followed—not by an army—but by a huddled, confused, scrambling, and vociferous mob, who, self-willed and riotous, performed what he forbade and neglected what he commanded. In this state of huddled confusion they met the carriage of Lord Kilwarden, whom they pulled out and piked, in opposition to the frantic entreaties of Robert Emmet. The resistance of the Castle, which baffled the rebels, produced the abandonment of his design. Obligated to fly in defeat, he concealed himself in Wicklow—returned to Harold's Cross—was betrayed, captured, and hanged.

Emmet seems to have been deluded into this movement by men who believed that without abortive rebellions Ireland could not be kept down. Among these we may reckon, it is alleged, the Earl of Meath and Lord Wycombe.

In his “ History of the United Irishmen,” page 484, third series, Dr. Madden gives us a brief summary of Robert Emmet's history. He says : “ The means at the disposal of Robert Emmet were not adequate to the object he expected to

accomplish. The time appointed for its accomplishment was inopportune. The strength and spirit of the nation were beaten down; the power of their rulers was unbroken. . . . The chances of failure were far greater than those of success. The whole project of the insurrection was at the mercy of forty individuals employed in the several depots, and several hundreds of persons in Dublin and three adjoining counties, Wicklow, Kildare, and Wexford, who were cognizant of that project and the preparations that were making for its execution. And the treachery of a single individual in the secret of the chief conspirator must have involved the whole of his plans and preparations in ruin. The result of the outbreak, on the night of the 23rd July, clearly proved that there was no retrieval for a single miscarriage and discomfiture—no retreat for chief or followers after a single defeat. No preconceived measures that were practicable were devised for rallying men thrown into confusion, routed in an attack, or seized with panic in any rencontre with the king's troops. There were military theories, indeed, on paper, but no men with practical military ideas to carry them into effect. Everything depended on the success of a *coup de main*—on the seizure of the Castle, the Pigeon House, and some other places, few of which were capable of being defended or held in the event (which was certain of occurring) of being attacked by the military in such force as the garrison of Dublin had at its disposal. In the face of these facts, it is impossible to deny that the insurrection of July, 1803, had no element of success in its plans and projects—that its attempt (terminating in failure) could not fail to be ruinous to all engaged in it, injurious to the country (as all abortive insurrections must be), and the occasion of bloodshed lavished in a hopeless cause. Morality, wisdom, and patriotism, can hold but one opinion on the subject of concocting a conspiracy so circumstanced as this was, and attended with such results—it cannot be justified.”

“I learned from the example of the United Irishmen,” said Daniel O’Connell, “that in order to succeed for Ireland it was strictly necessary to work within the limits of the law and constitution. I saw that fraternities banded illegally never could be safe; that invariably some person without principle would be sure to gain admission into such societies—who either for ordinary bribes, or else in times of danger for their own preservation, would betray their associates. Yes, the United Irishmen taught me that all work for Ireland must be done openly and above-board.” It may, however, be alleged, as

a defence of Irish trust-worthiness, that the oath administered by Emmet was kept with inviolable fidelity. It is likewise maintained that during the first five years of its existence, the conspiracy of the United Irishmen was a perfect secret to the government. The fact is, that two classes of men—swordsmen and gownsmen—have by turns fought the battle of Irish freedom. These two classes, in lieu of disparaging, should mutually respect each other. Mr. O'Connell was a gownsman; Robert Emmet a swordsman. The Irish nation, burning for liberty, alternately tries the craft of diplomacy and the courage of battle—when one weapon is broken and flung aside, the other is taken up and wielded. The moment the swordsman was defeated in the person of Emmet, the gownsman advanced in the person of O'Connell. The moment O'Connell had marshalled the millions in the discipline of Repeal agitation, the fierce and warlike nature of the Irish people rushed up behind the gownsmen, pushed them aside, and fiercely took their places amid the shouts of the spectators. But whether with the pen, the tongue, or the pike, the smouldering battle in one shape or other has been going on for ages. "There is always a dumb war in Ireland," said O'Connell; and whether drilled by a young lawyer or an old soldier, the repealer is a nationalist—the nationalist a repealer:

"Still! Freedom! still! thy banner torn but flying,
Streams like a thunder-cloud against the wind."

In the year 1803, O'Connell was still a member of the Lawyers' Corps, and constantly on duty. He himself tells us: "After I had stood sentry for three successive nights, Nicholas Purcell O'Gorman's turn came. He had recently been ill, and told me the exposure to the night air would probably kill him. 'I shall be in a sad predicament,' said he, 'unless you take my turn of duty for me. If I refuse, they'll accuse me of cowardice or croppysm; if I mount guard, it will be the death of me!' So I took his place, and thus stood guard for six consecutive nights."

The Irish aristocracy, in 1793, had granted the forty-shilling franchise to the Irish people with the expectation of possessing themselves of the conscience and the vote, as they had already in their manifold tyranny possessed themselves of the food and clothing of their uneducated tenantry. Emancipation had been conceded in an unsatisfactory way—in shreds, scraps, and patches. One hand was unchained, and the tyrants were persuaded that the hand which was free would not loosen the hand that was manacled. This was an erroneous

persuasion. Though the efforts of the United Irishmen to sweep away in a mass the mountainous oppression which crushed and prostrated the country—though the rebellion, with all its horrors, had silenced by its terrible interest all secondary considerations—though the feelings and claims of the Catholics were lost in the clash of the national encounter, they were not altogether dead.* When the wounds and terrors of the rebellion began to be forgotten, the Catholic began to feel that he *ought* to rise, and he soon found, with a little more perseverance—that he *could*. But, in 1803 and 1804, the suspension of the Habeas Corpus Act obliged the Catholics to confine their proceedings to select meetings at private houses. No meeting of any importance took place until 1805. At that meeting a petition for the total restoration of their still withheld franchises was proposed, discussed, and rejected by a Catholic majority of 336 to 124. The accession of the whigs to power, in the same year, seemed to justify a second effort; but it terminated abortively. Fagan explains the failure of the Catholics when—in his “Life of O’Connell”—he says: “There was an enormous amount of jealousy existing among the leaders, and they were not willing to allow the genius of one man to outstep the limits suited to their tamer and less expanded intellects. There was an aristocratic feeling about them little in unison with the liberalizing tendency of O’Connell’s mind.” The duplicity and falsehood of the whig administration worked with pernicious effect on the Catholic community, and pulverised them into a heap of uncementing sand. The baneful influence of their aristocracy, through whom the whigs acted, paralysed the political exertions of the Catholics. The Fingals, Gormanstown, and Trimlestons plotted at the Castle to nullify their own proceedings at the committee; and looking in one direction—they rowed towards an opposite point. As they believed their order born to rule, their *esprit du corps* compelled them to regard with aversion the uprisings of the commonalty. When Lord Fingal in the Castle betrayed the secrets of the committee, his duplicity to his religious brethren was compensated in his opinion by his fidelity to his brethren in the peerage. Indeed, no member of the aristocracy can possibly be an honest politician, because when true to the people he must become a traitor to his own class.

The Habeas Corpus Act, which had been suspended from 1804, came once more into force in 1807. Guarded by the

* Wyse’s “Catholic Association.”

ægis of this law, O'Connell appeared on the public platform. In that year we find his name in the Catholic Committee which was appointed on the 7th February. In that year an opportunity was afforded to O'Connell of animating the Catholics with his eloquence, and encouraging them by his bold example, to shake off the timid, vacillating, and crawling policy which their shuffling aristocracy countenanced. On the 17th February a meeting to petition parliament was held in the Rotundo. The chair was taken by Lord Fingal, who, together with Lord Ffrench, put forth all their influence to baffle the object for which the meeting was summoned. This meeting clearly proved that nothing is so ruinous to popular success as aristocratic patronage. By an insidious motion of Lord Ffrench's, the aristocracy sought to strangle the motion for adopting a petition and forwarding it to parliament. Lord Ffrench plausibly proposed that the consideration of the petition should be postponed until the feelings of the rural districts should be ascertained. The eloquence of O'Connell boldly resisted this astute proposition. The herculean vigour of the young demagogue trampled on the serpent-like craft of the subdolous peer. In masculine reply to Lord Ffrench's declaration that "to forward the petition would be to injure the empire," O'Connell dashed in the whitening face of the quailing shuffler this verbal thunderbolt: "What! is it an injury to the empire to tender it the service of five millions of subjects? Can the total devotion of their talents and their property, their persons and their blood, be termed an injury to the empire? Is the amplification of the limits of the constitution, so as to take within its pale myriads of its children, whose devoted loyalty and unshaken fidelity the legislature has solemnly acknowledged—is this an injury to the empire?" Having laughed to scorn and swept away the ridiculous idea that the Catholics sought to subvert the Act of Settlement, he drew a graphic picture of the character, prejudices, and feelings of the English nation. "Expediency as well as right," he exclaimed, "present policy and eternal justice require our emancipation. Let us then demonstrate these truisms. Let us renew our petitions, until prejudice and bigotry fade before the meek torch of truth. There is an adventitious point of view in which I would place the subject before the English nation. I tell them that our emancipation was delayed by our union with their legislature. Our Protestant countrymen in our domestic parliament would have long since conceded what remained to be granted. The Union, with rude violence, and amid the

wreck of the country, swept away every opportunity of kindness and liberality on one hand—every occasion of gratitude and affection on the other. It was a small but wretched consolation that no Catholic sat in the parliament that voted away the country. The Union was a measure in its every consequence deeply deplorable. The devastation it had produced had been frequently foretold :

“ Ne'er were prophetic sounds so full of woe.”

Lord Fingal begged to suggest that the Union had no connexion with the subject before the meeting.

Mr. O'Connell would submit to any suggestion from the chair, but it was impossible for him to stand over the grave of his country without shedding on it a tear. However, the question of the Union appeared to him to have some connexion with the subject in debate. The English people were aware that Emancipation was promised if the Union were carried ; but that was an argument he would not use. He never would consent to the sale of his country—he despised the man who would accept any boon as its price. Having alluded to the antagonism of the king, he continues : “ Away, then, with all the objections to the presenting a petition—there should be no delay. The man does not merit freedom who would hug his chains for a day. The present administration has emancipated the negroes ; they would be entitled to praise as having done their duty if, instead of enabling his majesty to select admirals and generals from our body, they introduced a clause into their Slave Bill to raise Catholics to the rank of freemen.”*

* Until the Act of Union, the military and naval establishments of Ireland were distinct and separate from those of Great Britain. The Irish law of 1793 admitted Catholics to hold commissions in the navy and army of Ireland, when the laws of England rigidly excluded all Catholics from the right of bearing offices in either service. If a ship of war anchored in an Irish roadstead the toleration of the land was wafted over the vessel—liberality reigned on board. The law of England did not apply to a ship in Irish waters ; but the moment that vessel sailed into an English port, the light of liberty vanished and the dark cloud of intolerance settled gloomily over the crew. The Irish secretary (Hobart), when introducing into the Irish parliament the Catholic Bill of 1793, said that England would follow their example, and admit Roman Catholics to bear commissions in Great Britain—but she did not. Dr. Duigenan seemed to know better, for he prophesied that the relaxations of 1793 would prove unprofitable to the Catholics. “ The moment any regiment on the Irish establishment,” said he, “ shall be ordered out of the kingdom, all commissions of Catholics serving therein will be instantly void.” This prophecy, suggested by fanaticism, was realised by experience. The English law declared, “ That every person who shall be admitted into any office

The treacherous opposition of the Catholic aristocracy was withdrawn before the energetic attack of the young tribune. His rising which, like that of the sun, was to enlighten and beautify Ireland, made the crawling creatures shrink into congenial obscurity.

O'Connell explained their questionable conduct in a conversation with O'Neill Daunt, which that gentleman has published in his "Personal Recollections." "The Catholic aristocracy," said O'Connell, "were jealous at seeing the leadership, which they were incapable of managing, taken out of their hands by lawyers and merchants. Efforts were occasionally made to control what they were pleased to deem the vulgar violence of our exertions. In 1807, a certain aristocratic banker visited the Catholic board one day, and delivered himself of some advice that savoured suspiciously of Castle influence. I remember that he accused the Catholic barristers of clamouring for Emancipation merely in order to qualify themselves for office. I opposed him, of course, and I had a stout ally in Peter Bodkin Hussey, who discarded all ceremony in his attack of the invader. Peter's speech was extremely characteristic of his sagacity, his coarseness, and his impudence. 'I understand this gentleman,' said Peter, 'just as well as if I was inside his head. He has talked about Catholic barristers having personal objects to gain. I tell him there are Catholic bankers who have personal objects to gain. I won't mince the matter, and I boldly declare my conviction that his advice is dishonest. I tell him, moreover, that although I only chastise him verbally now in the hope he may take himself quietly off; yet I would

civil or military, or shall receive any pay, salary, fee, or wages, by reason of any office, &c., shall publicly take the oath of supremacy, and take, and subscribe the declaration against transubstantiation, and also receive the sacrament publicly, under a penalty of £500 and disability to hold the office."

A similar law, with still heavier penalties, had been enacted in Ireland, and remained in full force until 1793, when it was repealed by an Irish statute. But the disqualifying laws of Great Britain remained in full force in 1808. A palpable incongruity resulted from this state of the law—as the Catholic ensign or midshipman, if removed from the Irish to the English station, was still subject to the English test act, and compelled to apostatise, or abandon the profession of his choice.

This shows us that, guided exclusively by sordid impulses, the aristocracy were utterly wanting in honesty and principle. They avowed that Catholics were fit to be entrusted with arms, and demonstrated it by the fact that Catholics were soldiers; but the same aristocracy declared that they were *not* fit to be entrusted with arms, and proved it by the fact that Catholics were not officers.

hesitate just as little to chastise him personally if he should come here again on a similar errand.' The intruder took the hint and decamped. Peter Bodkin Hussey," continued O'Connell, "was as rough-tongued a fellow as I ever met—saying ill-natured things of everybody, and good-natured things of nobody. He piqued himself on his impertinence."*

The Catholic aristocracy whom O'Connell alludes to as incapable of managing Catholic affairs were Lords Fingal, Ffrench, and Trimleston. The first was a traitor, the second a brute, the third a coxcomb.† The correspondence of Sir Arthur Wellesley, afterwards Lord Wellington, while Irish secretary, removes all doubt as to Fingal's perfidy to the Catholics who confided in him. O'Connell seems to allude to Fingal where he says: "When I took the helm I found all the Catholics full of mutual jealousies—one man trying to outrival another—one meeting rivalling another—the *leaders* watching to sell themselves for the highest penny."‡ His lordship's condemnation is to be found in the words of Fagan: "Of this we are certain—Lord Fingal was a vetoist." The brutality of Lord Ffrench was painted in the revolting features of his coarse, sallow, and half savage face. As you listened to his roar you were reminded of Mirabeau's description of himself, he seemed a shaved tiger. His ungainly and over-grown frame—the swinging awkwardness of his slouching gait, and the grating dissonance of his Connaught brogue, suggested that if accident had made him a lord, nature had intended him for a ploughman. His malicious sarcasms and loose slovenly garb—his animal energy and clownish wit, his whine and his grunt, jarred painfully on the feelings of his auditors, awakening emotions of pain, surprise, and dislike, which disqualified him for the leadership he aspired to.

If Lord Ffrench was almost horrible, Lord Trimleston was nearly ridiculous. Though really an Irish lord he appeared to be a French dancing-master. He exhibited the simial jerk, the self-complacent affectation, and the whiffling activity, which so often characterize individuals of that jiggling profession. He was all grimaces, petulance, frills, powder, and pretension. He loved to speak of the "patrician blood of the Barnewells" with lofty pride—not of the miserable slavery of the unfortunate Catholics with anxious sympathy. His person, his manners, and his accent, were disagreeably and extravagantly French.

* O'Neill Daunt's "Personal Recollections."

† Wyse's "History of the Catholic Association."

‡ *Ibid.*

A younger son, Lord Trimleston had studied medicine in France, where he turned Catholic. His elevation to the peerage was the consequence of his elder brother's unexpected death. His associates in France were French noblemen, and from them he imbibed the hatred of popular movements and of self-assertion in the people—the disgust, loathing, and abhorrence of democracy, which rendered him entirely unfit for the functions of demagogue in Ireland. In all he said and did there seemed to be an indescribable air of puppyism, sheathed with French polish, but not the less disagreeable. In short, he had nothing in common with Irishmen save their creed—none of that hearty sympathy with popular enfranchisement which makes the unsophisticated Irishman hail the struggles of oppressed nationalities with ardour, and cheer them with cordial good wishes. These men of title might be ornamental—they were unquestionably useless. The truly efficient men—the men of power—bore no titles, had no coats of arms, were mere barristers and men in trade.

One of these was Mr. Scully. Author of an able work upon the penal laws, which has been erroneously attributed to Charles Butler of Lincoln's Inn, Mr. Scully did much but spoke little. Unlike the Catholic aristocracy he was not ostensibly before the public, but he was the real ruler of the Catholic body. He was scarcely calculated to attain popularity, but if his tongue was not fluent his intellect was masculine. The feelings of his powerful mind were not discoverable in the features of his impassive face; he was grave, secret, cautious, and profound. Before submitting an arrangement to the passions of the multitude he weighed it, in the calm retirement of the closet, with slow and patient deliberation; but when his sound judgment had recognized its practical utility, neither the withering sneer of polished aristocracy, nor the stormy clamours of the boisterous crowd could shake his resolution or persuade him to relinquish it. He had the mind of a diplomatist—full of crooked statesmanship and astute strategy; although plain in person, he was generally respected, and always absolute.

Mr. Hussey was another. Mr. Hussey carried into effect in public what Mr. Scully had resolved on in private. The gay and volatile nature of Mr. Hussey formed a striking contrast to the grave and massive solidity of Mr. Scully's rather ponderous character. Others might open the battle of debate with more ability, but no man in the entire body was better fitted than Mr. Hussey to the guerilla warfare of a desultory contest. He was expert at sudden sarcasm, could level an

appropriate anecdote with sharp effect, and disappear from the search of his adversary in the very moment he inflicted the wound. His red hair and twinkling blue eye were not less Irish than his phraseology. The manner and matter of the entire man were remarkably Hibernian. He looked, smiled, and acted the brogue. An anecdote told by O'Connell himself will illustrate his character: "It was not a bad reply he made to another impertinent fellow who hailed him one day in the Four Courts, saying, 'Peter, I'll bet you a guinea that you are a more impertinent rascal than *I* am.' 'You'd win your guinea,' answered Peter; 'I am certainly the more impertinent. *You* are only impertinent to those you know won't knock you down for it; but *I* am impertinent to everybody.'"

Mr. Clinch was a man of very different appearance and character. He would have been venerated, in the olden days of black-letter decisions and portly brass clasped folios, as a man of singular and recondite learning. He was, however, too doctrinal, too dogmatic, too full of learned saws and nice precedents for the fierce and fervent realities of ordinary political life. In an assembly of ardent and inquiring Irishmen, whose feelings too often travel faster than their reason, and who required no quotation from learned authors to prove to them the grievances which they had found written in deep and enduring letters in their own hearts, Mr. Clinch's eloquence and learning often proved "weary, stale, flat, and unprofitable."*

Dr. Dromgoole was another instance of this morbid appetite for learned obscurities. The weapon he delighted in was the double-edged sword of scholastic dialectics. His armoury was almost exclusively from the Vatican. His lips were ponderous, his eyebrows large and bushy, and his broad, sallow features spread over an immense head.

Such were the men who, in the commencement of 1808, began to believe that silent submission opened to them no hope. These men formed the "Catholic Committee." They met in January, 1808, Lord Fingal in the chair. In all such meetings the question was, whether they should petition or not—whether they should ask for liberty, or lie down in lethargic repose. The question was not, as in more recent times, whether they should petition or fight, but whether they should solicit or be silent. The Catholic body was divided on this question. "We are called upon to decide," said Mr. Keogh, "whether the petition of the Catholics of Ireland shall

* Wyse's "Catholic Association."

be forthwith sent to England by our noble chairman, to be presented to the imperial parliament."

Almost invariably the aristocratic members were hostile to petitioning; almost invariably the people were in favour of agitation. The aristocracy did not say, "You must not petition at all;" they merely said, "Not yet." The time was fast approaching, however, when another "surge of men" was to rush up behind those committee men, more successful because more audacious, and substitute for their timid councils and vacillating efforts, loftier questions and a more open, masculine, and daring policy. Meantime the assemblages of the committee were generally private. They did not parade the power of the Catholics in monster meetings, but in the narrow precincts of a private room consulted Lord Fingal.

Mr. O'Connell said: "The Catholics of every part of Ireland had been consulted; their sentiments as to the propriety of petitioning had been required by letter. Numerous answers had been received from the most respectable persons in all the counties, who all concurred in this one opinion—that the petition should be forwarded without the smallest delay. In some parts the Catholics had already gone further—meetings had been held in the cities of Cork and Waterford, and resolutions to that effect entered into—nay, the petition had not only the good wishes of our liberal and enlightened Protestant brethren of Ireland, but some of them had expressed their sentiments by a public resolution; he alluded to that of the gentry of the county of Tipperary. Their conduct—patriotic as it was amiable, useful as well as benevolent—was the theme of general admiration. He regretted that he could not speak of it in terms according with the gratitude of his heart. It reminded him, however, of that affectionate attention and care for the rights of Irishmen which had induced the Irish Protestants of the present generation to lighten the fetters of the Catholic, and totally to emancipate the Presbyterian—a wise and magnanimous policy, which would have long since restored the Catholic to complete freedom, had their cause and their country been left in the hands of Irish Protestants (loud and repeated applause). Under those circumstances nothing but disunion among themselves could ever retard the Catholic cause. Division, while it rendered them the object of disgust to their friends, would make them the scorn and ridicule of their enemies."

The year 1808 was eminently auspicious to Catholic manifestation. Austria had fallen, and Prussia had perished on the field of Jena. Our two islands were forced into temporary

unanimity by the dangers which threatened them. The oppressors of the Irish were reluctant to depend exclusively on religious schism to prop a falling empire. Apprehension was excited, and liberality was the temporary result. This apprehension was not ill-founded, for the prohibitory system was at work, and Napoleon in the ascendant; and all Europe, marshalled by one man, was pitted against two islands. As a consequence, the Marquis of Headfort, the Earl of Ormond, the Earl of Meath, the Earl of Bessborough, Viscounts Clifton, Dillon, and a hundred more of the landed proprietary of the country, signed a "Protestant declaration" in favour of Catholic relief. Sentiments of the most liberal and enlightened description were published to the world by the capitalists of Newry. The Catholic question, which imperilled the interests of England, seemed likely to be settled by the unanimity of aristocratic Ireland. Events soon proved, however, that this manifestation of liberality was paraded by the aristocracy for temporary purposes. To secure Catholic loyalty, while the empire was imperilled by France, the flame of hope was kindled in the breasts of the Catholics; but that flame soon languished when the Catholic petition, agreed to in Dublin and adopted generally by the Catholics throughout Ireland, was refused admission into the House of Commons. It was alleged as a reason for this objection that the signatures were not genuine. This was admitted by the Catholics, who asserted that the names of persons ignorant of writing were affixed—at their own request—to the petition.

In the same year, on the 25th May, the same petition, with signatures, which were unquestionably genuine, was presented to the same legislature. The sentiments of the Catholic body were contained in that petition. The principal argument which Grattan employed in his speech was furnished by the dangers which menaced the empire. The war of France—the power of Napoleon—he said, should produce cordiality in co-operation. He appealed exclusively to the selfishness of the body he addressed. The right of suffrage had been given to the Catholics; they voted at elections and formed part of the constituency. With the exception of fifty situations and all seats in parliament, they were admissible to every military and civil office. From those they were shut out because, as was falsely alleged, they were perjurers on principle, and could not be bound by the obligation of oaths. In other words, the constituencies of counties, and part of the army and navy, consisted of men depraved by their religion,

in whom no faith could be reposed. The Catholics, on the other hand, argued with much erudition, that whatever Popes may have practised or some authors taught, such practices and doctrines were condemned and reprobated by the Catholic Church. The only part of America that did not fly from England was Catholic Canada. Their Austrian ally was Catholic. Sweden excepted, England had not one Protestant ally on the face of the globe. If the Protestant religion did not secure them one ally abroad, and if it excluded the full assistance of their fellow-subjects at home, their country was not allowed a fair chance for its safety. "I have a proposition to make," continued Mr. Grattan—"a proposition which the Catholics have authorised me to make. It is this—that in the future nomination of bishops, his majesty may interfere and exercise his royal privilege; and that no Catholic bishop shall be nominated without the entire approbation of his majesty. In France the king used to name; in Canada the king names; it is by no means incompatible with the Catholic religion that our king should name."

The Catholics who authorized Mr. Grattan to make this proposition must have been the perfidious aristocracy, who, "willing to wound but yet afraid to strike," were anxious to sell their religion for a parliamentary seat, the magisterial bench, or the sheriff's authority. "Let me ask," said Grattan, "is an exclusion from the two houses of parliament nothing? from the shrievalty nothing? from the privy council nothing? from the offices of state nothing? from the bank nothing? Is it nothing to be censured, schooled, and suspected?"

It was much—so much, in the opinion of the Catholic aristocracy that they were willing, for the emoluments and dignity of those situations, to subject the sacred function of the apostolic mission to its persecutors, revilers, and sworn enemies—to sell the liberty of the Church for a mess of pottage.

Fortunately the general voice of the unsubsidised people drowned in its clamours the insidious whispers of perfidious privilege. To the hierarchy, says Plowden, that clamorous voice "proved an awful warning." On the 14th September, a regular national synod of the Catholic prelates assembled in Dublin came to the following resolutions:

"It is the decided opinion of the Roman Catholic prelates of Ireland that it is inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of the Irish Roman Catholic Bishops, which mode long experience has proved to be unexceptionable, wise, and salutary.

"That the Roman Catholic prelates pledge themselves to adhere to the rules by which they have been hitherto uniformly guided—namely, to recommend to his Holiness only such persons as are of unimpeachable loyalty and peaceable conduct."

These synodical resolutions against the Veto were signed by twenty-three prelates. They were received with shouts of rapture by the people.

The leader of the great national army of the disqualified—Daniel O'Connell—in this dispute concurred with the bishops and the people. Deserted as they were by the recreant aristocracy, by the eloquent Grattan, and all their parliamentary friends—their prospects discouraging and dismal—his powerful assistance was indispensably necessary. To stem the tide of opinion, which, surging in from elevated quarters, threatened to overwhelm the religion of his country, required the uncompromising character and invincible courage of Daniel O'Connell.

Events elucidatory of the manner in which Britain governs Ireland occurred immediately after this synod. To punish the bishops for the virtue they had exhibited, government resolved to appal them with Orange manifestations. Orangemen held a meeting in Dawson-street, Dublin, on the 15th September, the day after the opening of the synod. In this truculent assembly, J. C. Beresford, James Verner, Dr. P. Duigenan, and a representative of seventy-two English lodges, appeared. They not only resolved in this meeting to exterminate the Catholics, but to expel any member who refused to swear—so far as lay in his power—to exterminate them.

"From the most respectable authorities I have it," said O'Connell, at a Catholic meeting which took place subsequently, "that Orange lodges are increasing in different parts of the country with the knowledge of those whose duty it is to suppress them. I have been assured that the associations in the north are re-organised, and that a committee of these delegates in Belfast have printed and distributed 500 copies of their new constitution. This I have heard from excellent authority; and I should not be surprised if the attorney-general knew it. Yet there has been no attempt to disturb these conspirators—no attempt to visit them with magisterial authority—no attempt to rout this infamous banditti. Perhaps my information is false; if so, I give the government an opportunity to rebut the charge."

During a flying visit which O'Connell paid to his native county, he attended a meeting on the tithe question about

this time. At the meeting in question he succeeded in turning into complete and painful ridicule the well-prepared address of one of the previous speakers. It was the first exhibition of his powers as an orator which he had made in his native county. The upholders of the tithe system at this meeting,

“ Safe from the bar, the pulpit, and the throne,
Were touched and shamed by ridicule alone.”

The statements and arguments of “parsons much bemused with beer,” which were paraded by their friends, were answered and overturned by O'Connell, who produced a decided impression on the assembly. He laughed to scorn the greedy avarice of the clergy of the Establishment, who insisted on taking a full tithe of the farmer's potatoes. He argued that if they took his staff of life out of his hands, they should carry the peasant on their shoulders. O'Connell carried triumphantly the anti-tithe resolutions.

A glance in this place at the condition of the Catholics—the sufferings which they endured—will enable us to appreciate the services the Irish received at the hands of O'Connell.

At that time a fountain which supplied water to the inhabitants stood in Kevin-street. A group of idle boys decorated it fantastically with green boughs and garlands. The rage of the Orangemen was aroused by their childish hilarity; but when on the evening of that day a bonfire blazed harmlessly in the same street, and was encircled by a cluster of careless youths and jocund girls, the rage of the Orangemen darkened into murderous fury. Five of these fanatics secretly seized their firelocks, loaded them with ball, and proceeded with rapid steps and lowering brows to the scene of childish enjoyment. The ruddy flame was throwing its flickering glare on the guileless faces of the thoughtless group, gossiping or gambolling innocently round the rude fire, when the dreadful explosion of fire-arms was heard beside them. It is impossible to describe the scene that followed—the screams that issued from the dismayed and scattering crowd as one of the group, shot through the brain, fell dead upon the spot—and several others, wounded, screaming, and agonizing, were hurled to the ground, writhing with pain or fainting in agony. It was a dreadful spectacle! but perhaps the five assassins—hurrying off in guilty haste and conscious culpability from the vengeance they had provoked and the justice they had insulted, with black murder disfiguring their appalling countenances—presented the most dreadful feature in the deplorable transaction.

Horrible as this atrocity may appear, it was not without its

parallel. At Corinshiga, within a short distance of Newry, a considerable number of men, women, and children were grouped beside a bonfire on the evening of the 23rd June, 1808. Round a pole adorned with garlands a group of dancers, linked hand in hand, were tripping it fealty adjacent to the fire. In that happy and thoughtless circle all was jest, laughter, and hilarity, when eighteen linen-weavers, fully armed and accoutred as yeomen, crept in silence to the spot, halted at the command of their sergeant, and at his murderous words, "Present—fire!" levelled their muskets, and shot several of the merrymakers, one of whom was killed on the spot. The aristocracy—or, as they are vaguely and vulgarly termed, the government, absolutely refused to punish or even detect these atrocious murderers—a circumstance which rendered them as culpable as the assassins themselves. It was in vain that the magistrates of Newry sent to the *Hue and Cry* a proclamation or advertisement. The government refused to insert it. In vain did several of the Corinshiga Catholics present themselves trembling before the magistrates, and swear on the Evangelists that they and their alarmed families were in constant fear for the safety of their persons and properties. Marching, with flying colours and glittering arms in defiance of the Catholics, in open day, to the house of the bereaved father of the youth they had butchered, the armed murderers, by way of bravado, fired a volley over the house, the thunder of which threw the mother of the victim, whose heart was bleeding for the loss of her son, into violent convulsions. The aristocracy were in league with the assassins, and all efforts to punish them proved fruitless.

The fate of "Jack of the Roads," as related by O'Connell himself, may shed a light on the condition of Catholic Ireland in 1808. "Jack of the Roads," we may premise, was an idiot who, covered with tatters and apparently half-starved, was accustomed to keep pace with the Limerick mail-coaches. "He once made a bet of four-pence and a pot of porter," said O'Connell, "that he would run from Dublin to Limerick, keeping pace with the mail. He did so; and when he was passing through Mountrath, on his return, on the 12th of July, 1808, flourished a green bough at a party of Orangemen who were holding their orgies. One of them fired at his face—his eyes were destroyed—he lingered, and died—and there was an end to 'Jack of the Roads!'"

"Was the ruffian who fired at him punished?" asked his secretary.

"Oh, no! To punish such an offence as *that* was not precisely the policy pursued by the government of that day."

The military service at that time was crowded with Catholics;* but the conscientious soldier who refused to attend Protestant worship was subjected to severe and rigorous punishments. A solitary instance may serve to illustrate this dreadful form of religious persecution.

Patrick Spence, a private in the County Dublin Militia, well known to be a Catholic, was required to attend divine service in a Protestant church. Plunged into the black-hole for refusing to comply, he ventured to write a letter to his commanding officer, representing that he was guilty of no breach of discipline in obeying the dictates of his conscience. By way of answer he was brought before a court-martial and charged, not with his real offence which was refusing to go to church, but with writing a letter which was disrespectful and mutinous. For this alleged offence the Catholic soldier was sentenced to receive 999 lashes! He was led out and stripped—his bare back was exposed—his hands tied up to the red triangle—the scourges were ready—the drummers prepared—and the military martyr was about to endure a fatal punishment, when an offer was made him to commute it for an engagement to enlist in a condemned regiment. It would be vain to attempt to describe his feelings at this ignominious proposal. He revolted at the disgrace—but life is sweet, and after some hesitation he accepted the painful alternative. Spence was transmitted to the Isle of Wight, in order to be sent to a corps constantly serving abroad.

Such was the sentence of Spence, and he was doubtless only one of a multitude subjected to like sentences. A community of feeling united the noblemen who controlled the army and the Orange rabble who shed blood in the towns—they manifested a unity of purpose and a harmony of action which filled the Catholics with well-founded apprehension. The aristocracy said to the Irish soldier: "Go to battle; go fight for the safety of the English people, and in defence of the British constitution—but remember, if you receive your death-wound you are not to expect the consolation of religion in your dying hour. The minister of the Gospel shall pass you by as you lie gasping and expiring on the earth; he will go to administer the sacrament to a German Catholic; but you are an Irishman, and shall not be reconciled to your God." It must be confessed that

* When a British force first reached Portugal, under Sir John Moore, one-half of the privates consisted of Irish Catholics.—*Plowden*.

the malignity of demons was exhibited by the aristocracy when they deprived the Irish soldier, at the moment of his dissolution, of the means of preparing his soul to appear before the great tribunal. It was a cruel and ferocious mode of exhibiting that fanatical hatred of Catholicity which is so deeply rooted in the hearts of our ruling classes.

The revolting barbarity of the Orangemen's oath could only be equalled by the disgusting profanity of the well known toast with which they invoked the "assassin of Glencoe," when pouring out, in midnight orgies, libations to his memory :

"To the glorious, pious, and immortal memory of the great and good King William, who saved us from Popery, slavery, arbitrary laws, wooden shoes, and brass money. May he who would not drink the toast on his bare knees be damned, crammed, and rammed, with flints and sparables, into the great gun of Athlone—blown into the air, and fall into the bottomless pit of hell—the key in an Orangeman's pocket!"

Their sanguinary zeal for persecution is evinced by the horrible profanity of the language of their revelry. In the savage mirth of their impious festivity they forget that they are completely in the power of the Irish Catholics exiled to America, who can overwhelm them with beggary whenever they like, by shutting in their faces the gates of their American market, and, by preventing the sale of their linen in the United States, reduce them not only to indigence, but to famine. Owing to them, Ireland, since the Union, is regarded as a province by the aristocracy of Britain ; and a province must be always much less under the control of the legislature than at the disposal of a man. The chief secretary is the government of Ireland. Under the administration of the Duke of Richmond the Irish chief secretary was Sir Arthur Wellesley, afterwards Lord Wellington; and to his culpable connivance the atrocities of the Orangemen must be, in a certain degree, attributed. He did not shed Irish blood with his own hand, but it is very doubtful if his connivance in Orange crime did not render him as criminal as the Orange murderers. Of this man O'Connell's opinion was very disparaging. "I have two faults to find with him—one is, that I never yet heard of his promoting any person in the army from mere merit, unless backed by some interest; the second fault is, that he has declared that the only misfortune of his life is his being an Irishman. There is a meanness—a paltriness in this, incompatible with greatness of soul. But abstractedly from sentiment, he may be right enough ; for great as his popularity and power have been in England, I have no

doubt they would have been infinitely greater if he had been an Englishman. John Bull's adoration would have been even more intense and devoted if the idol had not been a Paddy."

On another occasion O'Connell said that he had in his possession an original letter of the Duke of Wellington's eldest brother, Marquis Wellesley, addressed to a Mr. Mockler of Trim, in reply to an application which Mockler had made to the writer (who was then Earl of Mornington) to procure a commission in the army for his son. The brother of the future victor of Waterloo apologises to Mockler for his inability to assist him, saying, "that commissions were so hard to be got that his brother Arthur's name had been two years upon the list, and he had not yet got an appointment."

Of the Wellesley family the real name is said to be Cooley. Their history, which is very remarkable, merits peculiar attention. There was a man named Garret Wisely who had been a trooper in Marlborough's wars, and who, being disbanded, returned to his native country—the county Meath, in Ireland. As a travelled man who could tell surprising stories, a good shot, and a great drinker, he was received as an humble companion at the side-tables of the gentry of the country. But at none of their houses was he so welcome as at Dangan Castle near Trim, then possessed by a female named Cusack. This lady, to preserve an estate in the family, had married a cousin of her own, who was a moping simpleton, and therefore a cipher in the house. By this man she had no children; and fame, ever busy with reputation, babbled of the lady's partiality for the swaggering trooper who could drink deeply and swear loudly, and who, though he had never occupied a higher station on the muster-roll of his regiment than that of sergeant, was, through the courtesy of the squiralty, honoured with the rank of captain. These injurious rumours had been widely disseminated, when, to the horror of the neighbourhood, Mr. Cusack was one morning found stretched—pale, lifeless, and prostrate—beneath the window of his bed-chamber, from which he had, in the course of the night, leaped in the frenzy of fever. The widow was at first inconsolable, but notwithstanding her grief, when the usual and decent time of mourning had elapsed, she surrendered her fair person and her broad lands to the swaggering trooper who had served in the wars of Marlborough. The title of captain was instantly changed by the unanimous consent of the vicinage into that of colonel, which the Irish often confer on the owner of £2,000 a-year, even though a civilian. This union the lady did not long survive. Garret

consoled himself for his loss in the possession of a good estate, which made him a person of consequence in his neighbourhood, and in the ownership of half the borough of Trim, which enlarged the sphere of his importance.

It may be proper in this place to state that Garret had no relations save two sisters, one of whom had married a poor labouring fellow named Branagan, who toiled from morning to night, and was all but starved on four-pence a day. She was therefore not to be known by her more fortunate brother, though she had selected a husband from her own class. The other sister, with her brother's approbation, and subsequently to his elevation, was married to a wealthy grazier in the county of Longford, named Harman, to whom Garret gave as a portion his bond for £1,000, some years' interest of which being due—for Garret without the intervention of law was reluctant to pay anyone—Harman imprudently sued the *colonel* and enforced payment, a circumstance which put an end to all communication between them.

Garret having discarded his sisters and relatives, bethought him of an old croney or boon-companion of his, named Cooley. Cooley was a miserable *brogue-maker* residing at a place called Carbury in the county Kildare, with whom he renewed his former acquaintance, and to whom he was in the habit of rendering some small kindnesses. This poor fellow had, as usual in Ireland, a large family, and amongst them a boy named Dick, who was painfully learning his father's wretched business, but for whom Wisely promised to do something better, and accordingly bound the son of the brogue-maker to a kind of pastry-cook in Dublin. Shortly after the expiration of the boy's apprenticeship, his patron procured for him the civil employment of cook at Dublin Castle; and as he had a good voice and Garret had told him beforehand to be a Protestant, he was now installed as one of the choristers of Christ Church. Nor did Garret stop here; he enabled him to rent a house in Church-lane, where he sold mutton-pies and distilled spear-mint, rose, and lavender-waters.

Garret had lived riotously, and now became infirm. Dick Cooley, whose mind was eminently speculative, quitted his mutton-pies and went to Dengan Castle to soothe the declining years of his benefactor, where he instantly invested himself in the office of major domo or *dominus factotum*. At length Garret Wisely died, and Dick Cooley happened to *discover a will* by which he himself became possessed of all the estate, absolutely and without control or remainder.

It has been already stated that the borough of Trim was an appendage to the estate of Dangan, and by that ladder our hero (now Richard Cooley Wisely, Esq.), an aspiring genius, mounted to the viscounty of Mornington.

This Right Honourable Lord Viscount Mornington married the daughter of an attorney named Slade. Her *ladyship the viscountess* had one son named Garret, in compliment to the benefactor of her lord (these small traits in great personages merit recording), which son changed the names of Cooley Wisely to Cowley Wesley, and afterwards to Westley, becoming, by means of the said borough of Trim, *Earl of Mornington*.

This noble lord had five sons: 1st—The marquis, who became Governor of India, and who in virtue of his dignity changed the names of Cooley Wisely, Wesley, or Westly, to Colley Well-es-ley.

2nd—William, to whom a small gentleman of the name of William Poole stood godfather and left his estate—of about £300 a-year at the time—and who consequently called himself William Wellesley Pole—secretary for Ireland in 1809.

3rd—Arthur, an officer in the army of India, who, under the auspices of his brother the marquis, became governor of a city which he had not taken,* and reaped laurels which others had sown.

4th—Gerald Valerian, whose real name was Garret Wisely. As Gerald, however, is a celebrated Norman name, and Garret a plebeian appellation in Ireland, this fourth son of the Earl of Mornington laid aside the name he had received at the font, and assumed the romantic cognomen of Gerald Valerian. He was a parson by profession.

5th—The fifth son, Henry, was ambassador at some foreign court when O'Connell took a prominent part in public affairs.

The Wellesleys assert that their ancestor came to Ireland with Henry II.; but in the roll of officers and men who at that time invaded Ireland, no such name as either Wisely, Wesley, Westly, or Wellesley, can be found.

Though the motto of the family is *unica virtus necessaria* (virtue alone is necessary), it is very doubtful whether, without Protestantism and the borough of Trim, their virtue would have raised them from poverty, misery, and Carbury, to ordinary competence—not to talk of titled wealth.

To return from the Protestants who oppressed, to the Catholics who suffered: amongst the latter, during the years 1809 and 1810, much sluggishness and apathy existed. In the pub-

* Seringapatam.

lic journals of the period they exhibit few symptoms of political life. They had lapsed into that drowsy torpor in which they are buried at present; and, as at present, the possibility of political action was precluded by the absence of political harmony. It was not consonant with the dignity of Catholics, as their aristocracy asserted, to address a parliament by which their petitions had been previously rejected. This insidious suggestion had the desired effect—it mummified the Catholic body. The same sophistry, under another form, has been employed in recent times to produce the same inaction. O'Connell dashed it aside. He was aware of the horror with which the titled sensualists who rule the empire regard agitation. To them, he knew that the irritation, the fret which public meetings occasion is more annoying than violent and open war. Hence it was that O'Connell taught one uniform doctrine—agitate! agitate! agitate! There are many reasons why agitation or petition to parliament should be distasteful to the aristocracy. It develops, in prodigious affluence, qualities in which they feel themselves lamentably deficient—energy of intellect and eloquence of speech qualities which make them shrink back and shudder in disgust, or rush forward in frantic anger. The events of that period prove the truth of this statement. When they found that the Catholic people could not be fooled into inactivity through the instrumentality of the Catholic aristocracy—when they found that O'Connell *would* agitate, they flung aside the mask of hypocrisy to take up the weapons of oppression—they endeavoured to wring, by unconstitutional violence, from the clutch of the despairing Catholic the poor privilege of petition. This alternate employment of the craft which deceives, and the persecution which crushes, proves clearly that the aristocracy entertain a profound loathing and mortal dread of agitation.

About this period the barristers, animated by the example of O'Connell, began to rally round the Catholic standard. Though Catholics at heart, many of these men had taken the Protestant oath. At the period of the relaxation they threw off the mask, and avowed their secret feelings more unmistakably, and by their ardour in urging the Catholic interests proved that their external conformity had resulted from tyrannical necessity. This awakened in the Catholic party great hopes—in the aristocratic camp speechless alarm. Their facility as orators—their industry as men of business—their wily craftiness and secret stratagems—their open, broad, and at times daring statements of wrongs and grievances—their utter heed-

lessness of Protestant censure, and stirring appeals to the passions of the multitude—the ability with which they blazoned the sufferings, and the manly courage with which they stigmatised the tyrants of the people, filled with panic fear the appalled hearts of the dismayed aristocracy. They felt that men so shrewd were not to be befooled. They resolved to fling away disguise and use the crushing weapons of oppression.

The malignity of Lord Clare had framed the Convention Act to extinguish the patriotic organization of the United Irishmen. For eighteen years that act had lain dormant. Secretly busy in fomenting their dissensions, and craftily tearing them asunder by internal differences, the aristocracy had not deemed it desirable to incur the scandal of crushing the Catholics by open force. Now, however, the time had come to hurl at their heads the slumbering thunderbolt moulded by Lord Clare.

A Catholic meeting was held in the Assembly Rooms, William-street, in 1809, at which Mr. O'Connell took a prominent part. At this meeting the speakers resolved to renew their efforts by establishing a general committee. They said, as a reason for its establishment, they were convinced “that no principle of justice, no force of reasoning is sufficient to counteract a malignant influence, which threatens the empire with general contamination and consequent destruction. Public delinquents and defrauders would put to hazard the existence of the reigning family and the integrity of the empire, rather than restore the people to the privileges of the constitution.”

In the formation of this committee the foresight of O'Connell was remarkably conspicuous. Knowing that the Convention Act was an instrument which unscrupulous hands might use for destructive purposes, he determined to wrest it from the grasp of his enemies. When it was resolved in the committee that forty-two persons should be appointed to prepare a petition to parliament, it was proposed by Mr. O'Connell, and “Resolved unanimously, that the noblemen and gentlemen aforesaid are not representatives of the Catholic body, or any portion thereof.” This resolution, suggested by the prudence of O'Connell, was laid aside by the folly or treachery of his associates. At a subsequent meeting a committee to petition parliament was appointed, consisting of ten gentlemen from each county, and thirty-six from Dublin. This legal oversight was at once pounced upon by Mr. Wellesley Pole, brother to Wellington, who was then the secretary—that is, the government of Ireland.

Conscious of the powers of O'Connell—aware of his formi-

dable talents—the long-sighted aristocracy took measures to meet, subvert, and crush them. In the dark chambers of their satanic counsels they determined to strangle the Catholic Committee, and transfer the Irish militia to England. They felt that a Titan was ascending, and hoped by these two measures to darken his radiance and pull him from his sphere. By crushing the committee they expected to silence O'Connell, and by transferring the English militia to Ireland they hoped, should rebellion result, to drown it in blood. They apprehended popular tumult on the extinction of the committee—the waves of insurrection might be roused by O'Connell's eloquence, and they determined to interchange the militia in order to repress its rage. The stern cruelty, and the deliberate caution of the British aristocracy, are evinced by these two measures. An important lesson may be gathered from these proceedings.

Grattan said in the House of Commons, that he never presented a petition from the Catholics, but he was met by the objection that such petition did not speak the general sense of the Catholics. It is true, said the opposers of these petitions, here are a great number of names; but still these persons bear a very small proportion to the whole body of Catholics—and we cannot receive this petition as coming from that whole body. It was clear, therefore, that the general sense of that body could only be obtained by a fair and constitutional delegation; and such a delegation had been allowed by the government of Ireland for several years past.

The truth is, that so long as the management of the Catholic affairs was confided exclusively to titled noodles, the thunders of the Convention Act were allowed to slumber; but the moment the sincerity of the young Agitator was likely to take the place of the treachery or folly of aristocratic imbecility, the government determined to act.

In a circular letter of Wellesley Pole addressed to the sheriffs and chief magistrates, and dated 12th February, 1811, the Catholic Committee is stigmatised as “an unlawful assembly sitting in Dublin.” This portion of the scrambling document is perfectly intelligible. The remainder, however, is clouded and muddy—a perfect maze of intangled and inextricable stupidity, which it is painful to read and almost impossible to comprehend. It resembles the penal laws as described by Young—it is “worthy of the meridian of Barbary.” It abounds in the barbarous jargon of stupid lawyers “bemused with beer,” heavy as lead, indigestible as Yorkshire

dumpling. You might fancy a night-mare had written it.—“You are required,” says this clumsy document, addressing the sheriffs, “in pursuance of the provisions of an act of the 33rd of the King, c. 29, to cause to be arrested and commit to prison (unless bail shall be given) all persons within your jurisdiction who shall be guilty of giving, or having given or published any written or other notice of the election or appointment in any manner of such representative, delegate, or manager as aforesaid; or if attending, voting, or acting; or of having attended, voted, or acted in any manner in the choice or appointment of such representative, delegate, or manager; and you are to communicate these directions, as far as lies in your power, forthwith to the several magistrates of the said county.”

The detestable stupidity of this bungling proclamation outrages the laws of composition as much as the dictates of common decency. The meaning seems to be (so far as we can extract it) that all persons should be imprisoned or arrested who elected, or took measures to elect, delegates to the Catholic Committee. For this interpretation the reader is indebted to his own penetration—not to the lucidity of the writer. In a legal sense, the circular letter was a blunder, because the offence, as described in the act, was not set forth in the document. Even the dignified solemnity of the lord chancellor was tempted to descend from the lofty dulness of his elevated station to play the critic. His lordship said, in words which themselves might be criticised, that “the language was put together in a slovenly manner.” The intellect of Wellesley Pole was not sufficiently strong to give verbal parturition to the mis-created conception of his malignant mind, and we may safely assert, that it is only under an aristocratic government (that political fraud) that a document so unintelligible could be issued by an official so elevated. But it is really not worthy of criticism.

The speech of Wellesley Pole in the House of Commons, relative to his circular letter, is very instructive; it shows the purposes which Irish lords contemplate when entering the arena of popular agitation—they pretend to struggle for popular privileges. He said—glancing at the history of the Catholics—“In 1809 the deliberations of the committee were always confined to a petition. That committee had declared its resolution not to transgress the Convention Act by anything like a delegation. In 1810, the committee acted upon very different principles. It called an aggregate meeting of the Catholics,

which came to a resolution—that the committee should have power to manage, not the Catholic petition, but *Catholic affairs*. Some of the members, Lord Fingal in particular, now began to apprehend that they were going too far, and some instances appeared of the committee taking into consideration certain supposed grievances under which Catholics laboured. A committee of grievances was then appointed, which met weekly, and imitated all the forms of the House of Commons. They grew more and more violent, till at length some of the *more respectable* of the Catholics took the alarm, and a resolution was passed, but afterwards rescinded, that the committee, by proposing a delegation of ten members for each county, had exceeded its powers. A petition was transmitted to England, after which Lord Ffrench said: ‘Your commission is at an end; you have exceeded your powers; do you mean to create yourselves into a perpetual parliament?’ and Lord Fingal was publicly attacked at a meeting for his moderation. The lord lieutenant had hitherto forbore to take notice of their proceedings, though he viewed them with an anxious eye; but it now became the general opinion that it was high time for the government to interfere.”

This is a very instructive speech, showing, as it seems to do, that Fingal and Ffrench were equally false to the cause which they professed to advocate.

The proposal was made in the House of Commons in May, 1811, to exchange the militias of the two kingdoms—apparently that the Irish soldiers might be subjected to the operation of the penal law of England, and forced to go to church in opposition to their consciences. Against this measure O’Connell protested in energetic terms. He proved lucidly, at an aggregate meeting held in Fishamble-street, 28th May, that the proposed bill was unconstitutional—it was opposed to the very nature of the institution of the militia: “It was not a transfer which was proposed—it was an annihilation of the Irish militia.” O’Connell spoke so well, and the people so heartily concurred in the arguments he employed, that an address thanking him for his efforts was sent to him from Dingle. “We are particularly anxious to convey to you,” it said, “our decided approbation of the manliness, candour, and perspicuity with which you have developed the tendency of the intended transfer of our militia, and displayed the machinations of those deluded men who style themselves Orangemen and Purplemen. We request you to accept our most cordial thanks.” This address was signed by Edward Fitzgerald on behalf of “the clergy,

gentlemen, magistrates, and freeholders of Dingle." In his reply, O'Connell said amongst other things, "For my part, I hate the Inquisition as much as I do the Orange and Purple system—and for the same reason. The man who attempts to interfere between his fellow-man and his Deity is, to my mind, the most guilty of criminals."

It is very extraordinary, but perfectly true, that Grattan disapproved of the petition which the meeting had adopted relative to the militia. It contained language, Grattan alleged, which rendered it unfit for presentation to parliament. "It was the opinion of Mr. Grattan," said O'Connell, "that the petition was not in its present form presentable to the House of Commons, and to such an authority the highest respect was due. For myself, I have no hesitation in saying that I approve of the petition in its present form. I deny the assertion that it is a libel on the Protestants of England and Ireland. To them it has not the slightest nor the most remote application; it is solely applicable to the bigotted proselytising system encouraged and acted on by the present administration."

The petition was subsequently examined and canvassed by the committee, who could see no reason for altering it; but this examination produced delay, and during this delay the bill for interchanging the militia, hurried through the legislature, became the law of the land.

The real object of this bill has been elucidated by an English writer, who seems to explain at the same time the reason of Grattan's objection. He says: "By means of this interchange of militia, a military force would be quartered in Ireland, not influenced by the local interests or prejudices of that country, which would be at hand to assist in the suppression of the disturbances that might arise from the disappointed hopes of the majority of the people, respecting their civil and religious privileges. If the policy of subjecting them be once established, the policy of interchanging the militia can be no longer called in question."

In the debates which this bill gave rise to, its real object was never even alluded to—a circumstance which places in clear relief the profound astuteness of the British aristocracy.

Lord Fingal* and some other members of the committee

* Lord Byron seems to have penetrated the character of Lord Fingal when, in reference to his knighthood, Byron wrote:

* "Will thy yard of blue ribbon, poor Fingal, recall

The fetters from millions of Catholic limbs;

Or has it not bound thee the fastest of all

The slaves who now hail their *betray*er with hymns."

having met in defiance of the threat, were arrested and brought to trial. In the persons of Dr. Sheridan and Mr. Kirwan, the question was tested before a Dublin packed jury. They were indebted for their rescue to the man who had recommended them to avoid the danger. In this case Mr. O'Connell was counsel.

The state trial commenced on the 21st of November, 1811. The whole question turned upon the meaning of the words in the Convention Act—"under *pretence* of petitioning." It was asserted by the crown counsel and chief justice that *pretence* meant *purpose*. They would fain revolutionize the English dictionary to prevent an improvement in the condition of the Irish nation. The Catholics really met, as every one knew, for the *bona fide* purpose of petitioning. The crown counsel endeavoured to show that such a *purpose* was condemned by the Convention Act—that the meeting of delegates for the *purpose* of petitioning parliament was an illegal meeting. The counsel for the traverser maintained that, if delegates assembled really and truly to petition parliament, and not for a different purpose under the pretext of petitioning—then the meeting was legal. Common sense and an intelligent jury declared for the latter interpretation. The traverser was acquitted. As O'Connell was not a leading counsel in this case, he confined himself merely to the cross-examination of the witnesses ;* but it was well known that the whole plan of the defence was arranged by him, and to his masterly management was it in a great degree attributable that the accused were acquitted—Roman Catholics acquitted by Protestants. Such an event was new and unexpected in Ireland, and created vast astonishment.

Rejoicing in their victory, the Catholics determined to hold a meeting for the purpose of quietly petitioning for a redress of their grievances. A few days subsequently to the trial they accordingly assembled in the theatre, Fishamble-street. The chair was still empty—Lord Fingal had not arrived—when they saw, to their astonishment, a police magistrate silently enter the room, and take his place beside the still vacant chair. They gazed with no little curiosity on this grim and surly Cerberus, standing silently beside the chair and frowning sternly on the collective leaders. Counsellor Hussey, with that moral courage which men of his profession have so often exhibited in the dark difficulties of Irish politics, stood up and proposed that "Lord Fingal do take the chair." The harmonious voice

* Huish.

and comely features of O'Connell did not betray a single emotion as he seconded the proposal of Counsellor Hussey. The business of the meeting was about to commence ; Lord Netterville moved and Counsellor O'Gorman seconded the motion, that "the Catholic petition be now read," when the police magistrate interposed. "My Lord Fingal, I beg to state my object in coming here. His excellency the lord lieutenant has been informed that this is a meeting of the Catholic Committee, composed of the peers, prelates, country gentlemen, and persons chosen in the different parishes of Ireland. I come here by direction of the lord lieutenant, and as a magistrate of the city of Dublin I ask you, the chairman of this meeting, if that be the case, and if so, what is your object ?"

"Our purpose in meeting here," said Lord Fingal, "is perfectly legal and constitutional."

"That is not an answer to my question."

"What is your question ?" queried Lord Fingal.

"I ask," said the police magistrate, "is this a meeting of the Catholic Committee—a meeting composed of the peers, prelates, country gentlemen, and others in the city of Dublin ?"

"I certainly do not feel myself bound," said Lord Fingal, "to give you any other answer than that I have already given. We have met for the sole, legal, and constitutional purpose of petitioning ?"

"My lord, I ask you, as chairman of this meeting, in what capacity are you met ?"

"We are met to petition parliament."

"My lord, that is not an answer to my question. I hope I have leave to speak."

This observation was called forth by some commotion amongst the people, which subsided on the outcry of several voices, exclaiming : "Hear the magistrate ! Hear the magistrate !"

"I beg leave to ask your lordship again, is this a meeting of the Catholic Committee, constituted by the Catholic peers, prelates, country gentlemen, and the persons appointed in the several parishes of Dublin ?"

"I am not aware," said the chairman, "that I can give you any other answer than that I have already given."

"Then, my lord, your answer is that you are a meeting of Catholics assembled for a legal and constitutional purpose ?"

Here several persons exclaimed, "No, no ; there was no answer in such terms."

"It is a most unusual thing," said O'Connell, "for any ma-

gistrate to come into a public meeting to catechise, ask questions, and put his own constructions upon the answers."

"My lord," said the police magistrate, "am I to understand that you decline telling me fully what meeting you are, and the purpose of your meeting?"

"We are met," answered the chairman, "for a legal and constitutional purpose."

"I wish," returned the magistrate, "to be distinctly understood. Am I to understand that you will give no other answer to my question? Do you give no other answer?"

The speaker was here interrupted by a commotion amongst the people.

A voice—"Read the petition."

Another voice—"Where's Mr. Hay? Hear the magistrate!"

"My Lord Fingal," said the magistrate, "I consider your declining to give me an answer as an admission that this is the Committee of the Catholics of Ireland."

"As what passes here may be given in evidence," said O'Connell, "I beg leave to say that the magistrate has received a distinct answer to his question. It is not for him to distort any answer he has received into a meaning of his own; he is to take the words in their literal signification."

"My lord, I consider your refusing to give any other answer," said the magistrate, "as an admission of the fact of this being the Catholic Committee."

"If you please to tell gentlemen that such is your belief," interposed O'Connell, "it is of no consequence to us. We are not to be bound by your opinion."

"Does your lordship deny that this is the Catholic Committee?" persisted the magistrate.

"My Lord Fingal has neither given you admission nor denial," said Counsellor Finn.

"We do not want the magistrate's assistance to make out meanings for us," said O'Connell. "Let him not imagine that he can bind this meeting by any assertion he thinks proper to make."

"Then I repeat that your lordship's refusal to give me a direct answer," said the magistrate, "is an admission that this meeting is the Catholic Committee, and being such, it is an unlawful assembly—as such I require it to disperse. It is my wish to discharge my duty in as mild a manner as possible. I hope no resistance will be offered. I hope that I need not have recourse to the means I am entrusted with for the purpose of dispersing the meeting."

"I do not intend to resist the laws," said the chairman; "but I shall not leave this seat until I am forced to do so, that I may bring an action against the person removing me."

"My lord, I shall remove you from the chair," said the magistrate. "My doing so will be an arrest."

He then took Lord Fingal by the arm and gently pushed him from the chair.

Lord Netterville was immediately called to the chair on the motion of Counsellor O'Gorman, and was immediately removed by the intervention of the police magistrate.

The Hon. Mr. Barnwall was then called to the chair; but at the recommendation of Sir Edward Bellew the meeting separated.

The daring courage manifested by the Catholics in this emergency merits the highest eulogy. They immediately placarded the walls of the city with a requisition, signed by three hundred persons, calling on their brethren to assemble in an aggregate meeting in the theatre of Fishamble-street. The recent meeting had been dispersed by the magistrates, because it came under the operation of the circular letter of the chief secretary—because it consisted of delegates. But an aggregate meeting could not consist of delegates, and therefore could not be dispersed. At this new meeting O'Connell admitted that every magistrate, on learning that an assemblage of people had come together, had a right to ask if the meeting was assembled for a legal purpose or the contrary; but he had no authority to catechise them further; he must act upon the answer he receives. It was therefore satisfactory that the prudent conduct of the chairman, in replying to the question of the magistrate, had afforded no precedent for the continuation of such a practice. Such a precedent, he trusted, would be henceforth a protection against the vexatious interruptions of ignorance and presumption. It had been insinuated that in changing their assembly from a committee to an aggregate meeting, the Catholics shrank from the ground on which they stood before. But it was not the Catholics—it was the government that shrank. The right of petition was that for which the Catholics had always contended, and they did not now shrink from a trial of its legality. It was the crown lawyers who shrank from it. Much labour had been expended to frame an indictment which, seeming to try the question, in reality should not try it. They imagined that if it went in any shape before a jury, there was no doubt of its success. The late proceedings of the government should immediately be brought forward

as the subject of an action in the court of exchequer; to-morrow's sun should not set before it should appear upon record. It should be brought in two shapes—one an action for false imprisonment, the other a special action upon the case. Mr. O'Connell then proceeded to remark on the manner in which the late trial had been conducted, and expressed his dissatisfaction with some part of it. He afterwards went on to say that perseverance alone was requisite—a firm and temperate determination was alone necessary to make their cause ultimately successful.

A very remarkable man was present at the meeting in question—the unfortunate but renowned poet Percy Bysshe Shelley. Read by the melancholy light of subsequent experience, his observations on the Catholic question have the startling appearance of prophecy. He says: “It is my opinion that the claims of the Catholic inhabitants of Ireland, if gained to-morrow, would in a very small degree aggrandize their liberty or happiness. The disqualifications principally affect the higher orders of the Catholic persuasion; these would chiefly be benefitted by their removal. Power and wealth do not benefit, but injure the cause of freedom and virtue. I am happy, however, at the near approach of this emancipation, because I am inimical to all disqualifications for opinion. *It will not add one comfort to the cottager—will snatch not one from the dark dungeon—will root out not one vice—alleviate not one pang.* Yet it is a foreground of a picture in the dimness of whose distance I behold the lion lie down with the lamb, and the infant play with the basilisk; for it supposes the extermination of the eyeless monster—bigotry, whose throne has tottered for 200 years. I hear the teeth of the palsied bel-dam superstition, chatter, and I see her descending to the grave. Reason points to the open gates of the temple of religious freedom; philanthropy kneels at the altar of the common God. I regard the admission of the Catholic claims and the Repeal of the Union Act as blossoms of that fruit, which the summer sun of improved intellect and progressive virtue are destined to mature. I will not pass without reflection the Legislative Union between Great Britain and Ireland; nor will I speak of it as a grievance so tolerable or unimportant in its nature as that of Catholic disqualification. The latter affects few, the Union affects thousands; the one disqualifies the rich from power, the other impoverishes the peasant, adds beggary

* “Proposals for an Association of those Philanthropists who are convinced of the inadequacy of the Political State of Ireland,” &c.

to the city, famine to the country, multiplies abjectness, whilst misery and crime play into each other's hands under its withering auspices. I esteem, then, the annihilation of this second grievance as something more than a mere sign of good. I esteem it to be in itself a substantial benefit. The aristocracy of Ireland (much as I disapprove of other distinctions than those of virtue and talent, I consider it useless, hasty, and violent not for the present to acquiesce in their continuance)—the aristocracy of Ireland suck the veins of its inhabitants, and consume that blood in England." These scant extracts afford unmistakeable evidence of a mind which, if not utterly abandoned to its own wild impulses, might under holier auspices have produced a teeming harvest of wholesome and golden fruit.

The Catholic petition alluded to by O'Connell was presented on the 31st May, 1811, by Henry Grattan. His speech on the occasion teems with striking passages which illustrate the condition of the Catholics. He said: "Suppose the Thames were to inundate its banks, and, suddenly swelling, enter this House during our deliberations—and a motion of adjournment being made, should be opposed, and an address to Providence moved—that it would be graciously pleased to turn back the overflow, and direct the waters into another channel. This, it will be said, would be absurd; but consider whether you are acting upon a principle of greater intrinsic wisdom, when, after provoking the resentments, you arm and martialize the ambition of men, under the vain assurance that Providence will work a miracle in the constitution of human nature, and dispose it to pay injustice with affection—oppression with cordial support. This is, in fact, the true character of your expectations—nothing less than that the Author of the universe should subvert his laws to ratify your statutes, and disturb the course of nature to confirm the weak, base expedients of man. What says the decalogue? 'Honour thy father.' What says the penal law? 'Take away his estate.' Again says the decalogue: 'Do not steal.' The law, on the contrary, proclaims, you may rob a Catholic. . . . The early effect of the promulgation of the penal code was to confound tyrant and slave, Protestant and Catholic, in one common mass of misery and insignificance. A new law against English Catholics was made in the reign of George II.—and mark the result. When a militia force of 6,000 was wanted, it could not be raised. The Duke of Cumberland, son of George II., would not allow a man to be recruited in Ireland—except, perhaps, a linen-weaver from the

north. And what was the consequence? We met our own laws at Fontenoy. The victorious troops of England were stopped in their career of triumph by the Irish Brigade, which the folly of the penal laws had shut out from the ranks of the British army. . . . A little attention will show us that, in the same proportion as we have conceded to the Catholic, have we grown strong and powerful by our indulgence. . . . For the benefit of eleven hundred to disqualify four or five millions, is the insolent effort of bigotry—not the benignant precept of Christianity; and all this not for the preservation of their property—for this was secured—but for bigotry, for intolerance, for avarice—for a vile, abominable, illegitimate, and atrocious usurpation. The laws of God cry out against it; the spirit of Christianity cries out against it; the laws of England, and the spirit and principles of its constitution, cry out against such a system. . . . Before the Union, the expenditure of Ireland was £1,600,000, and her debt £3,000,000; she had then a free trade and a free constitution. Since that, she has gone on increasing in debt and expenditure; she has contributed to England—exclusive of her cattle, her provisions, her men—above sixty-five millions of money; she is the hundred-handed giant, and holding out to you in every hand a benefit.”

The noble advocacy of Grattan—his liberality of principle—was gratefully appreciated by O’Connell. What is called liberality is so purely the power of seeing clearly and judging sagaciously concerning the actual state of society—its wants and its means—that able men must be liberal men sooner or later. The ablest will not wait for the pressure of exigencies. There is something in the nerve, and sinew, and circulation of a man of genius that forces him on with the age, and leaves him no power of election. This was the case with Grattan. Speaking of Grattan, O’Connell said: “That greatest foe of Ireland, the late Earl of Clare, honoured Grattan with his hate; and can we forget how a committee of the House of Lords turned itself, under Lord Clare, into a committee to assassinate Grattan’s character, and with monstrous effrontery charged him with treason. Had they believed it, not only their duty but their inclination would have forced them, at that melancholy period when little evidence was necessary, to prosecute him even to death. Our country being entranced in the death sleep of the Union, I pity the Irishman who does not feel pleasure in repeating with me, that Henry Grattan is alone worthy to sound the trumpet of her resurrection.”

His private opinion of Grattan is very interesting. He said: "Grattan's eloquence was full of fire, but had not the melody or dignity of Pitt's; yet nobody quoted Pitt's sayings, whereas Grattan was always saying things that everybody quoted and remembered. I did not," added O'Connell, "hear Grattan make any of his *famous* speeches, but I heard him nevertheless in public. He had great power and great oddity; he almost swept the ground with his odd action."

"Was he, in private society, an entertaining man?"

"Very much so. His conversation contained much humour of a dry antithetical kind; and he never relaxed a muscle while his hearers were convulsed with laughter. He abounded with anecdotes of the men with whom he politically acted, and told them very well. I met him at dinner at the house of an uncle of O'Connor Don, and the conversation turned on Lord Kingsborough, grandfather of the present Earl of Kingston—a very strange being who married at sixteen a cousin of his own, aged fifteen—used to dress like a Roundhead of Cromwell's time, kept his hair close shorn, and wore a plain coat without a collar. Grattan said of this oddity: 'He was the strangest compound of incongruities I ever knew; he combined the greatest personal independence with the most crouching political servility to ministers; he was the most religious man and the most profligate—he systematically read every day a portion of the Bible, and marked his place in the sacred volume with an obscene ballad.'

"I dare say," said O'Connell, after a pause, "that Grattan told O'Connor to ask me to dinner. I was then beginning to be talked of, and people like to see a young person who acquires notoriety."

"In the course of conversation I asked him," says O'Neill Daunt, "who, in his opinion, was the greatest Irishman?"

"*Next to myself*," he answered, "I think old Henry Grattan was."

The Catholic petition—the subject of such stormy debate—on which the eloquence of Grattan flung its light, and the tyranny of aristocratic oppression cast its gloom; which the government were so anxious to cushion, and O'Connell so vehemently earnest to put forth—is a deeply interesting document, inasmuch as, if not written with the hand, it unquestionably conveyed the opinions and met the concurrence of the subject of our biography. It stated that, "for a series of years the petitioners and their ancestors suffered under the most cruel system of legalised persecution that ever afflicted a Christian

people. . . . For the last seventeen years no relief whatsoever has been extended to your petitioners, though they have three several times within that period submitted their grievances and their claims to the consideration of the united parliament. On the contrary, their humble representations are disregarded, their just statements contradicted without affording an opportunity of supporting them, every prayer for investigation rejected, and men, distinguished from their fellow-citizens only by their inveterate and offensive opposition to the claims of the petitioners, were raised to situations of trust, dignity, and emolument—a course of policy which the petitioners cannot help considering, at the least, extremely questionable at all times, but more particularly so when the independence of the United Kingdom becomes the subject of national contest; and that they deem it unnecessary to enter into any refutation of the several calumnies and misrepresentations which have been circulated respecting the doctrine of their holy religion; the solemn pledges they have given, the revenues they have contributed, the blood they have shed and lives they sacrificed in support of British policy and British connexion, supply abundant contradiction to the malignant assertions and insinuations of their enemies. The religion they profess is maintained by every one of his majesty's European allies. It was the religion of every man in England when that colossal pillar of British liberty, so justly entitled her Great Charter, was raised by her trusty sons; and they beg leave most humbly to remind the House that the Catholics of Ireland contribute very largely to the supply and reinforcement of his majesty's forces on sea and land, and that they cannot disguise the feelings of disappointment and dissatisfaction with which they are impressed on finding such attachment and support, on their part, met by a system of cold and jealous reserve, which excluded the Irish Catholic from rank in military command; and those feelings are raised to a spirit of indignation when they observe that confidence, which is refused to the petitioners in this their native land, reposed in foreign mercenaries—strangers alike to their soil and their constitution, and not naturally interested in the defence or prosperity of either; and that, fully impressed with the conviction that the extent and degrees of their grievances are already known to the House, they deem it unnecessary to resort to a minute detail or recital of them, as such a particular recapitulation could only tend to impress more forcibly and, if possible, more painfully on the minds of the petitioners the degrading consequence resulting from their wretched state

of exclusion and humiliation ; and praying the House to comply with the prayer of so many millions of their fellow-subjects, and not to suffer their claims any longer to remain disregarded—the extent of their supplication is that the House will secure and consolidate the real strength of the nation. . . . Restore then, they most humbly pray, the Catholics of Ireland to a full participation of all the blessings of the constitution, &c.

During these troubles O'Connell distinguished himself by his fearless and daring castigation of the attorney-general, who had dared to charge treason against the Catholic Committee. He told him before the bench of justice that the charge was “false and groundless.”†

His indignant attack on the solicitor-general was equally remarkable. Mr. Justice Day had publicly complimented the solicitor-general, and the solicitor-general had returned the favour by complimenting Mr. Justice Day. O'Connell at a public meeting held them both up to public ridicule, and, amid shouts of laughter, lashed their politeness with merciless invective. O'Connell said: “Mr. Justice Day he called ‘a magnanimous judge;’ the magnanimous judge called the solicitor-general ‘the friend of Catholics.’ Good God! what a notion these men must have of our stupidity; what dupes and idiots they must take us to be. I am ready to concede magnanimity to the judge; but that this barrister should be our friend—that he who commenced his political career with being, whilst yet young, the supporter of the blood-written administration of Lord Camden—that he who can look upon his own children, and then doom ours to be degraded—who has shown himself ready to embrace any servitude in the way of his profession to ensure his promotion—such a man may continue to persecute us, I consent; but he shall never enjoy the notion that we consider him a friend.”

By the trial of Dr. Sheridan alluded to in page 111, the verdict of the jury had restored to the Catholics their right of delegation, and in the moment of their triumph, elated by success, they rushed forward to a new contest. The warrants for the apprehension of the Catholic leaders had been signed by Lord Chief Justice Downes, and the verdict of the jury had determined such arrests to be illegal. It was legitimately concluded by the Catholics that the commission of the illegal act ought to be punished in the person of the offending party. Accordingly, a counter prosecution was set on foot against Chief Justice Downes.

† Fagan.

The prosecution might have been easily and honourably got rid of. A compromise extorted from the fears, or at least sanctioned with the approbation of the ruling powers, would have established the then unquestioned privileges of the Catholic. It was, however, ruled otherwise. O'Connell pushed on the attack with vigour. The case was tried a second time in the person of the chief justice. Judgment was given against the Catholics. No reasonable man who reads facts, not theories, and measures life by living things, could expect any other result. The moment a lawyer is elevated to the bench, he becomes a member of the aristocracy. Therefore, the power of the aristocracy is always put forth to shield him from censure, and bear him harmless in his chance collisions with plebeians such as O'Connell; consequently, Judge Downes succeeded. The Catholics, in the first instance, intended to appeal against the judgment, but gradually lost heart, and settled down into despair—even O'Connell's spirit-stirring eloquence failed to rouse them, and the demurrers were not even argued. Thus the victory which they had obtained in the first instance, was reversed. The Committee was scattered, delegation annihilated—and by the indiscretion of individuals, the liberty of the subject was sacrificed to the chicane and corruption of a haughty and arrogant party.

To the general Committee the Catholics of Ireland long looked back with feelings of gratitude, because its leading members had manfully withstood the attacks of the government. Nothing could be more unworthy than the conduct of the aristocracy with reference to that Committee. Availing themselves craftily of the dubious phraseology of an act of parliament passed exclusively to suppress treasonable associations, they hoped, by misrepresenting *pretence* to mean *purpose*, and *delegation* to mean *representation*, to crush the Catholic body. The intelligence and intrepidity of O'Connell not only defeated the attempt, but turned to the advantage of Ireland what was intended for its destruction. We cannot, at the present day, fully appreciate the value of these services, because we cannot measure the appalling height to which Irish intolerance towered at that epoch. Protestant ascendancy, trembling for its empire, made use of every description of machinery to deter the cautious, to alarm the timid, and to purchase the corrupt. Plots were concocted. The resources of the Castle were set in operation to stifle the public voice, and to seduce from our side the most influential of our friends. At such a time the Catholic Committee proved honest, stead-

fast, firm, and unshrinking. During at least twelve months, however, the Catholic Board which succeeded the Committee exhibited equal vigour, energy, and resolution.

The disorganised state into which the Catholics were thrown by their defeat in prosecuting Chief Justice Downes, disheartened and dispirited that languishing body. They imbibed courage, however, gradually to urge their just claims, owing to the struggling efforts of the Protestants, to repeal the Legislative Union. In 1810, a petition denouncing the Union had been introduced into the Dublin corporation by a Mr. Willis. "The members had suffered," it said, "in common with their fellow-subjects in their manufactures, trades, and commercial concerns." No influx of British capital, no improvement in public manners, no additional security to church or state, had resulted from the Union. "The discord of religious sects had not diminished, nor did the loyalty of the loyal increase, nor did the disaffection of the disaffected diminish. The Union added nothing to the splendour of the throne or the prosperity of the empire." They therefore requested "the knights, citizens, and burgesses in parliament" to repeal the Legislative Union.

Some valuable remarks were made on this petition by a Mr. Patterson. He said that the Scotch had received as compensation for the loss of *their* independence £50,000, to construct a canal between the western and eastern shores of their country—one of the greatest canals in the world—and £10,000 to make roads through the Highlands. The Irish, unlike the Scotch, had received no pecuniary compensation for the loss of their legislature—save the price paid to individuals for rotten boroughs. He could satisfy his hearers as to the atrocity of a measure which had lately hurled destruction on some of the most respectable mercantile firms in the kingdom.

Some remarkable observations were likewise made by a Mr. Craven, who said: "Sir, when this measure was first broached, great promises were made. The Catholics, without whose consent the measure could never have been carried, were promised Emancipation—they were duped and disappointed.—Dublin was to be made a free port; the tolls were to be taken off your canals; this country was to become a land flowing with milk and honey. The experience of ten years has shown how these promises have been fulfilled. Sold by the most shameful traffic, the people burdened by the most intolerable taxes—to pay, bribe, and compensate the very men who betrayed them. . . . If an individual instance were want-

ing I could mention myself, and declare on oath, as a member of the corporation, that I have, since that event took place, lost £500 per annum."

A committee was afterwards appointed, and an aggregate meeting held in the Royal Exchange. At this meeting O'Connell said that the interval since the Union was a melancholy period. In that period Ireland saw her artificers starved, her tradesmen begging, her merchants bankrupt, her gentry banished, her nobility degraded. Turbulence had deepened into murder, taxation had augmented, credit and commerce were annihilated, religious dissensions aggravated and embittered—and to crown all, they were insulted by being told of their growing prosperity. All those calamities sprung from the Union. Ireland was favoured with a fertile soil, an excellent situation for commerce, intersected by navigable rivers, indented with safe and commodious harbours, blessed with a fruitful soil, and inhabited by a hardy, brave, and generous population. How did it happen then that the order of Providence was disturbed, and its blessings worse than neglected? The fatal cause was obvious—that cause was the Union. Before the Union it was prophesied that the trade and credit of the country must fail, as capital was withdrawn, and that taxation would rise as poverty deepened. It had also been demonstrated that so long as the Union continued, Irish misfortunes must accumulate. Their experience of the past removed all doubt as to the truth of the prophecy respecting the future. Mr. O'Connell then went on to say that the act of Union was a flagrant violation of their national rights that the Irish parliament was not competent to pass it, that the Union is not constitutionally binding, and that it is a mere question of prudence whether it should not be resisted by force. He dwelt upon the cruelty, the treachery, the scandalous corruption, the execrable turpitude employed to carry the measure. He showed the helpless and degraded condition into which Ireland was plunged as a partner in the United Kingdom—her representation a mockery, and all attempts to advance Irish interests in the hostile parliament of London, vain and nugatory. He described the manifold gifts by which Providence had qualified Ireland for prosperity, and delineated the advances she was making in industry, commerce, and opulence, during the eighteen years of her legislative independence. He lamented the miseries that had befallen the country in the first ten years of the accursed Union, and prophesied that they must accumulate and overwhelm the land with beggary if the Union were not repealed. He called upon the men most remarkable for

their loyalty to the crown, and their attachment to constitutional liberty, to come forward as leaders of the public voice, and he confidently asserted that the nation would thus grow too great for its chains, and the Union repealed without commotion or difficulty. He argued that as the enemy, by fomenting religious discord, had crushed the country, the Irish should sacrifice their religious animosities on the altar of their nationality, adding these remarkable words: "I trample under foot the Catholic claims if they interfere with Repeal. I abandon all wish for Emancipation if it delays the Repeal. Nay, were Mr. Perceval to-morrow to offer me the Repeal of the Union upon the terms of re-enacting the penal code, I declare from my heart, and in the presence of my God, that I should most cheerfully embrace the offer." At the present moment when it is seriously proposed to throw the cold shadow of oblivion on his national efforts, and blazon his labours as an Emancipator as his sole claim to distinction, these words are of serious interest. The truth is, that the secret of O'Connell's popularity lay in the hope which he breathed into the popular heart of ultimate independence. The instinct of his countrymen could easily discern the shadowy proportions of a crowned and castellated nationality looming in the distance, beyond the ameliorative measures which he ostensibly contemplated. Had they not believed him to be secretly a nationalist, the Irish masses would never have thronged round and enabled him to be openly an Emancipator. Intimately persuaded that national independence was his ulterior design, they rallied round O'Connell with shouts of transport. The magic wand of nationality, which, though invisible to others, they saw dimly gleaming in his executive hand, conjured up the prodigious tide of popularity which encircled and supported him. Feeling deeply and bitterly, as the poor ever must feel, that national misery wells out of national thralldom, they crowded passionately round O'Connell with the scarcely whispered but burning hope that the Liberator of the altar might become the founder of a dynasty. To the multitude "Emancipation" was, after all, a vague term; the future goal they contemplated was national independence, because, owing to the perverse ingenuity of their rulers, all their moral prerogatives—all their physical advantages—all the gifts of God and nature were then, as they are now, rendered void, fruitless, and at times even mischievous. They must be so—because if our rulers had the will, they have not always the genius to make our resources truly profitable. This the people felt—and experience has ratified their senti-

ment. Our village tyrants still trample on us at home, and still the exile bitterly feels in his wanderings the melancholy truth penned by the immortal Humboldt—"The nation which has lost its liberty, like the woman who has lost her honour, is never mentioned except to be insulted."

"In 1810," said O'Connell, talking to his secretary,* "the Corporation of Dublin met at the Royal Exchange to petition for the Repeal of the Union. John Keogh attended the meeting and made a speech. I also spoke in support of the Repeal, and thenceforth do I date my great *lift* in popularity. Keogh saw that I was calculated to become a leader. He subsequently tried to impress me with his own policy respecting Catholic affairs. The course he then recommended was a sullen quiescence; he urged that the Catholics should abstain altogether from agitation, and he laboured hard to bring me to adopt his views. But I saw that agitation was our only available weapon; I saw that incessantly keeping our demands and our grievances before the public and the government, we must sooner or later succeed. Moreover, that period above all others was not one at which our legitimate weapon, agitation, could have prudently been let to rust. It was during the war, and while Napoleon—that splendid madman—made the Catholics of Ireland so essential to the military defence of the empire; the time seemed peculiarly appropriate to press our claims. About that period, a great Catholic meeting was held. John Keogh was then old and infirm; but his presence was eagerly desired, and the meeting awaited his arrival with patient good humour. I and another were deputed to request his attendance. John Keogh had this peculiarity—that when he was waited on about matters of business, he would talk away on all sorts of subjects *except* the business which had brought his visitors; accordingly, he talked a great deal about everything but Catholic politics for the greater portion of our visit; and when at length we pressed him to accompany us to the meeting, the worthy old man harangued us for a quarter of an hour to demonstrate the impolicy of publicly assembling at all, and ended by coming to the meeting. He drew up a resolution which denounced the continued agitation of the Catholic question at that time. This resolution, proceeding as it did from a tried old leader, was carried. I then rose and proposed a counter resolution, pledging us all to incessant, unrelaxing agitation; and such were the wise-acres with whom I had to deal, that they passed my resolution in the midst of enthusiastic acclamations, with-

* O'Neill Daunt's "Recollections."

out once dreaming that it ran directly counter to John Keogh's. Thenceforward, I may say, I was *the* leader."

Mr. O'Connell's mode of carrying on his agitation was eminently characterised by reiteration. "There are many men," said he, "who shrink from repeating themselves, and who actually feel a repugnance to deliver a good sentiment or a good argument just because they have delivered that sentiment or that argument before. This is very foolish. It is not by advancing a political truth once, twice, or even ten times, that the public take it up and finally adopt it. No! incessant repetition is required to impress political truths upon the public mind. That which is but once or twice advanced may possibly strike for a moment, but will then pass away from the public recollection. You must repeat the same lesson over and over again if you hope to make a permanent impression—if, in fact, you hope to impress it on your pupil's memory. Such has always been my practice. My object was, to familiarize the whole people of Ireland with important political truths, and I could never have done this if I had not incessantly repeated those truths. I have done so pretty successfully. Men, by always hearing the same things, insensibly associate them with received truisms. They find the facts at last quietly reposing in a corner of their minds, and no more think of doubting them than if they formed part of their religious belief. I have often been amused when, at public meetings, men have got up and delivered my old political lessons in my presence, as if they were new discoveries worked out by their own ingenuity and research. But this was the triumph of my labour. I had made the facts and sentiments so universally familiar, that men took them up and gave them to the public as their own."

The influence which O'Connell exercised in the Catholic Committee—the animation, energy, and vigour, which he imparted to its proceedings began to be felt by the aristocracy, and they made an effort to push him out of it. The instrument of this crafty design was Lord Ffrench. At a meeting which took place on the 2nd February, Lord Ffrench asserted that the lawyers were "men who ought to be suspected as having more to expect than any other description of Catholics." He added, that to "put down the lawyers," the committee should appeal to the people; and for that purpose he moved "that the Catholic concerns be referred to an aggregate meeting to be held that day fortnight." Mr. O'Connell saw clearly the malice of this measure, and he met it in a frank

and manly spirit. "For his part," he said, "he should be most grateful if the bar were altogether excluded from Catholic politics. And if the noble lord could attend exclusively to the affairs of the Catholics, he, for one, should rejoice at their being placed in such excellent hands. He (Mr. O'Connell) would then think himself justified in devoting himself exclusively to his professional pursuits. He had no difficulty in calling on the all-seeing Deity to attest the truth of his assertion—that the conscientious discharge of duty to an afflicted country was his leading motive in coming forward. The Committee, however, had done their duty well. They exposed the gross violations of the law which were daily committed with respect to Catholic soldiers; and the result had been, that even the Wellesley administration recognised the law of the land in their military orders; and Catholic soldiers were now allowed to serve their king without violating their consciences. Did the Committee deserve no thanks for this? At all events, he had a right to call upon those who impeached the Committee, to state in what respect they had done even so much for the Catholic cause. But the Committee had not confined their exertions to one object. They had framed a petition which, signed by thousands, was now ready for transmission to England. Ignorance of their situation, under which their warmest friends laboured, prevented the emancipation of Catholics. Even their best and highest friend, Henry Grattan, laboured under that ignorance. It was not, therefore, surprising that the Edinburgh Reviewers should have fallen into the same error. In their admirable essay they had stated that Catholics were excluded from only about forty offices, besides the houses of parliament. Notwithstanding this error, their essay was admirable—it was a specimen of that inestimable logic, that clear arrangement of the subject, and that conclusive display of proofs with which the work abounded. But what would it have been if they were informed of our real situation? My praise of those reviewers must be allowed to be unbiassed. I differ from them on the subject of the Veto, and would undertake to convince them I am right. I see myself amongst those whom they style 'bombastic counsellors;' and I smile to see how happily they have described that fustian and rant which I am in the habit of obtruding upon your meetings. But notwithstanding this attack, which I admit to be personal, I do most sincerely and cordially thank them for their exertions. *It is not in the nature of popular feeling to continue long its gratitude;* but I have no hesitation in saying,

that the Catholics of Ireland deserve to be slaves if they ever forget what they owe to the writers of that article. It is strange that when they contributed to the repeal of the slave trade, they were perfectly conversant with the savage tribes of Raarta and Bambana, and the police of the barbaric cities of Sego and Timbuctoo, but yet are deplorably ignorant of the condition of the white slaves of Ireland. The writer states, and laments that such grievances should exist—that five millions of Catholics should be excluded from forty offices under government; but I am prepared to prove that there are 1,254 offices from which Catholics are excluded by the direct operation of the law, and 30,000 places from which they are excluded by its consequences. We have another excellent advocate in England—I mean William Cobbett. The moment we can show him the extent of our oppressions, we furnish him with materials to ensure our triumph—and we could not have a more powerful advocate. When he is right, he is irresistible—there is a strength and clearness in the way he puts every topic—he is at once so convincing and yet so familiar, that the dullest can understand, and even the bigot must be convinced. But what has deservedly raised him high in public estimation is the manly candour with which he avows and retracts any opinion he discovers to be erroneous. I can hardly conceive a greater proof of sound understanding and perfect honesty than such conduct. But what has been his fate? Why he has advocated your cause, and is suffering under an atrocious sentence—two weary years' imprisonment—for a libel on the German Legion! What a besotted, benumbed people these English are! They heard the sentence pronounced—they saw the victim conveyed to his dungeon, yet there was no address, no petition to the throne for its interference; neither has this subject yet been brought before either house of parliament." O'Connell then proceeded to state the number of situations from which Catholics were excluded. Catholics were excluded from the following offices: in parliament 900, in corporations 3,981, in the law 1,058, in the army 9,000, in the navy 12,200, other offices 2,251, amounting in the entire to 30,490. Catholics were excluded, in addition to all this, from the collection and management of the public money. Six millions were annually raised from the Irish people—four millions were annually borrowed in the name of Ireland. There were not twenty Catholics employed in the collection and management of these ten millions—ten millions oppressive to all, but emolumentary only to a few Protestants. The four millions al-

luded to were not only collected—they were distributed, paid out again in discharge of the expenditure of the state. Protestants had the management of all such payments; so that Catholics were excluded from all the advantages resulting from the management of fourteen millions every year. The Committee had investigated the condition of the inferior Catholics in the northern towns when, on days devoted to the celebration of Orange festivals, their systematic oppressors assembled for the purpose of “making Orangemen.” In England there was no liberty of conscience for Irish Catholic officers. If they went to England with their regiments, they must violate their principles, or quit the service. Why did the pious Perceval and the holy Wilberforce allow Popery in the German Legion, and persecute it among the loyal Irish? The Committee were desirous that the hirelings who did the dirty work of the Wellesleys should dare to contradict the facts which his statement contained. He had shown that the Committee had not neglected its duty; “but,” continued Mr. O’Connell, “the old curse of the Catholics is, I fear, about to be renewed; division, that made us what we are, is again to rear its standard amongst us. I recollect, in reading the life of ‘the great Duke of Ormond,’ as he was called, I was forcibly struck with a despatch of his written about 1661, to vindicate himself from a charge of having given Catholics permission to hold a public meeting in Dublin. His answer is remarkable. He rejects, with disdain, the foul calumny of being a favourer of Papists, though he admits he gave them leave to meet; ‘because,’ said he, ‘I know by experience, that the Irish Papists never met without dividing and degrading themselves.’ One hundred and fifty years have since elapsed, and we are still in thralldom; because no experience can, I fear, cure us of this wretched disposition to divide. I have already consumed too much of the time of the meeting; I shall therefore conclude by moving the order of the day: ‘That the Catholic petition be forthwith presented to parliament.’ I am anxious to place that out of the way of dissension. The cry of ‘No petition!’ was supposed, in the country, to be the watchword of party in Dublin. Formerly gentlemen talked for hours in praise of ‘dignified silence,’ and of ‘frowning upon their enemies,’ and of ‘muttering curses deep—not loud.’ Now, indeed, their faces are decked with smiles; they are smoothing their whiskers and talking of delicacy; they entreat, with courtly air, that we would not embarrass our friends of the new administration. Sir, I know but of one embarrassment in this

nation—and that arises from the state of weakness and distraction the empire suffers from the political injustice inflicted upon the Catholics. I know of but one embarrassment to the Catholics—and that arises from the state of inferiority and degradation in which the criminal neglect of our just right leaves us. I know but of one course to procure Emancipation. It is the open, manly, and constitutional right of petition. If you petition session after session, you take away all pretext for intrigue and cabal amongst yourselves—all rational hope of managing a party amongst us from your enemies, and also from your false-hearted friends; and for my part, my humble opinion is decided—that you should continue to repeat your demands until every grievance is extinguished, and every trace of religious oppression annihilated.”

Lord Ffrench was defeated; and it was finally agreed, that the petition should be entrusted to Mr. Grattan for presentation in the Commons.

The article in the *Edinburgh Review*, to which O'Connell alludes in his preceding speech, was only part of the conspiracy directed against himself. The aristocracy caused the editors of the *Review* to do two things—to vindicate Catholic rights, and denounce and abuse Catholic lawyers; precisely as the wolves in Æsop's fable stigmatize the dogs as the sole cause of the lamentable discord which blazed between the sheep and the wolves. It was highly desirable on the part of the government that the Catholic cause should be managed by men who, nominally leaders, were really traitors to the cause they espoused. Hence they say: “The original managers of the Catholic cause were men of singular prudence and moderation—of *high rank* and acknowledged abilities. The distinction they obtained by their judicious and well-concerted endeavours naturally excited the jealousy of some members of the body who had *not* exactly the same qualifications; and the very success which had crowned their efforts produced, in the most sanguine and impetuous spirits, a degree of impatience at those slow and regulated movements to which, in reality, they had been principally indebted for their success. In the crowded meetings of the Dublin Catholics, accordingly, there had recently arisen a set of rash turbulent, ambitious, or bigotted men, who evidently aimed at getting the management of this great cause, and, in some measure, the command of this great population into their own hands; and employed, for the attainment of this object, the common arts that are resorted to by all who are more desirous of popularity than scrupulous

about the means of procuring it. They flattered and inflamed their auditors by speaking in exaggerated terms of their wrongs, their numbers, and their power; and, mingling something like the language of intimidation with their arguments and remonstrances, affected a much warmer zeal for the rights of the body, and a much more lofty determination to bring the cause to a speedy issue than had suited the cautious policy of their more experienced leaders. The success of those arts was neither to be wondered at, nor, in common times, very much to be dreaded. The assembled multitudes in Dublin might applaud the vehement and bombastic harangues of a few ambitious counsellors and attorneys; but the Catholic prelacy and aristocracy were likely to maintain a practical ascendancy in the management of their common cause. In this crisis, however, the question of the Veto was suddenly brought under public discussion; and the measure being furiously cried out against by those who trembled at the thought of a real conciliation, the cry was rashly taken up by the rash and sanguine who spurned at the idea of compromise, and by the ambitious who sought only for an opportunity to distinguish themselves. By their impetuosity and their clamours they confounded some and infected others; and, appearing by their noise and activity to be far more numerous than they actually were, they finally succeeded in intimidating the prelates themselves into an acquiescence in their absurd opposition."

O'Connell surmounted the cold and venomous attack of the Edinburgh Reviewers. He survived the more open, rude, and fierce assaults of the Orange press, and the crafty devices of the hirelings of the aristocracy to wound him in his private and professional character. His defence was ever characterized by daring, when the attack was most characterized by fierceness; and looking down from the stronghold of his integrity, he saw the poisoned arrows which they aimed at him fall broken and innocuous to the ground.

In the British House of Commons a debate took place on the 14th June, 1811, which was not without its effect in invigorating the languishing hopes of the Irish people. It cheered them to renewed exertion by the manly display of ardent patriotism which it elicited. In that debate, relating to Irish distilleries, Colonel Hutchinson struck at the Union a blow which startled the House, and called forth a storm of growling anger from the gruff arrogance of the imperious Anglo-Saxons. In his speech its pernicious effects were portrayed in gloomy colours, and, at the same time, the grovelling

avarice and brutal selfishness of the British character were assailed with bold denunciation. He said: "While Great Britain thankfully receives in her necessity the raw corn from Ireland, she would illiberally shut out the Irish spirits manufactured from that raw material. But, according to the principle of the Union, there should be a free trade and no duties; or, if the trade was not free, the duties should be equal. When this principle operated against Ireland, it was carried out effectually; but when Ireland required that it should be likewise carried out against Scotland, Irish trade was interdicted, and the Union violated. Admitting, however, that the Irish distiller did reap some advantages from the Irish spirit trade with England, was she therefore to be deprived of the trade itself? If so, would they restore to Ireland all that she had lost by the degrading and abominable measure of the Union?"

(At these words loud cries of "order! order!" "chair! chair!" burst from various parts of the House).

The Speaker said: "The honourable member will do well to recollect that such is not the language which it becomes this House to hear or him to use, in speaking of a grave and solemn act of parliament."

The rage with which the English members were filled rendered them unanimous in their roar of "hear! hear!" on the conclusion of the Speaker's pharisaical observations. When their indecent vociferation had subsided, Colonel Hutchinson said: "Sir, I trust I am incapable of using language unworthy of this place or of myself. In saying what I have said I have obeyed the dictates of feelings of which I am not ashamed; and while I know them to be just, I know not why I am to suffer the expression of them to be suppressed."

The uproar of the House—intolerant of truth from an Irishman—became more loud and, if possible, more general. Cries of "order! order!" "chair! chair! chair!" rang from every side. The speaker, once more addressing the generous Irishman, said: "The honourable member will be pleased to see the necessity of conforming to the usages of this House in the expression of his opinions." The stormy shout of "hear! hear! hear!" bursting simultaneously from the English members, gave the House for the moment the appearance of a bear garden.

Colonel Hutchinson said: "To conform to the usages of this House I am in every way disposed; but my right as a member is what I shall never resign (order! order!). If

liberty of speech be not the right of every member of this House, I know not what is. I have always considered it the right of every member of this House to declare boldly what he honestly feels. With respect to the measure of the Union my feelings have been strong and uniform. I saw danger to this country in the measure when it was first proposed; and in that danger, the degradation and ruin of my country. As the common friend of both, I resisted it by every means in my power; and am I now to be denied the melancholy privilege of deploring the humiliating state to which that measure has reduced my country? Am I to be denied the right of complaining that she has been tricked out of her independence by promises which have been all violated, and hopes that have been all blasted? If, however, there be a secret determination to rob her gradually of the few advantages to which, under the Union, she may be entitled, let gentlemen avow this determination."

The discontent of the Irish originates not only in the wrongs they endure, but in the nature of their character. "Ireland," says Michelet, "is the land of shining swords and brilliant ideas." We have produced, in proportion to our numbers, more soldiers, priests, and literary men, than any other people. To a gifted Irishman, like O'Connell or Hutchinson, it seems intolerably irksome and grating—it seems monstrous that a nation so endowed—a nation of soldiers, priests, and artists, should be subjected to a nation of sordid traffickers, whose ledger is their Bible, whose desk is their altar, and whose God is gold—a people who worship mammon.

The nature of an Irishman revolts at this arrangement—his discontent springs from the very constitution of his mind. There is no instance in human history of a nation devoted to traffic—absorbed in sordid pursuits—keeping permanently down another nation which is comparatively free from the degrading passion of avarice. It is contrary to that very nature of things which destines the grovelling and brutish races for obedience—the more talented for command. The indignant outbursts of such men as Colonel Hutchinson originate not only in physical injustice, but in the very nature of mind. The degraded devotees of mammon cannot be permanently the masters of a military race. There is no instance of such a contingency in history. The commercial Carthaginians did not subjugate the military Romans—the trader Tyrians did not triumph over their Macedonian conqueror. It seemed therefore monstrous to men like O'Connell, that a nation of

greedy money-grubbers like the English should subjugate and enchain a people who are comparatively exempt from such degrading propensities. It is unprecedented in the whole course of human history.

On the 31st January, 1812, Lord Aberdeen asked in indignation, in the course of a debate in the House of Lords: "After all the concessions that have been made to the Catholics, of what can they now complain? Their complaint," continued his lordship, "is reduced to this—that they are still precluded from holding certain offices. Will their advocates contend that they can claim, as a matter of right, their admissibility to those offices? If that doctrine is set up, I for one do not hesitate to declare that it is not tenable."

Lord Sidmouth asked: "Is not Emancipation a religious question? Is it not the duty of the House to protect the true religion—established by law? Must they not greatly detract from the estimation in which the true religion is held, if they so far countenance the Mass as to put it on a level with the Established Church—if they allow it to be regarded as a matter of indifference whether persons go to Mass, to church, or to the synagogue?"

The Earl of Rosse made several observations on the tone of hostility adopted by the Catholics in their conventional measures, which necessarily required the vigour of the government to resist it.*

Nothing contributed more to the growing popularity of O'Connell than his daring courage in asserting the supremacy of intellect and the inferiority of pinchbeck rank. For this service to the cause of freedom he unconsciously became the darling of the masses, whose toil-oppressed bosoms were delighted to see their task-masters held up to their ridicule, or subjected to the well-founded indignation of an insulted population. This again was the result of circumstances which he could not control. Feeling conscious of his own gigantic powers of intellect, O'Connell's rage and scorn for his mean and malignant adversaries knew no bounds. He was like a lion baited by rats. He grasped them as they fled, and crushed them in his talons, with a roar of gratified anger that was echoed by all Ireland—happy to see native talent exalting itself above tinselled title and factitious dignity. None of his successors have even approached him in this great service to democratic progress. He alone weighed the gold of intellect

* *Annual Register.*

against the dross of coronets, and showed, in the face of the public, that

“The rank is but the guinea’s stamp—
The man’s the gowd for a’ that.”

At an aggregate meeting held in Fishamble-street theatre on the 29th February, 1812, O’Connell tore to pieces a speech which Wellesley Pole had delivered in parliament. O’Connell said: “I cannot bring myself to believe that any man could pronounce such a discourse; the style is of the poorest order—there are a thousand phrases in it which demonstrate that no man of common education could have composed it. But to censure it as a composition would be absurd—it is the absence of truth and decency which entitles it to our notice. It is by calumny alone that our degradation is continued; if nothing were told of us falsely, we should long since have been emancipated. It asserts that ‘The government intended to stop the elections (of Catholics to serve in their committees)—and did stop them. The ten persons which (I preserve the beauty of the original) were ordered to be returned from each county, in point of fact never did assemble.’ In point of fact,” continued O’Connell, “we all know the government never stopped any such election; it never did interfere, save by sending forth the slovenly and ludicrous circular; and in point of fact, the appointment did take place in most of the counties—every county that pleased—and the assembly of those persons was a matter as public and as well known to the government as any other fact which was entrusted to the newspapers. It also asserted that ‘many of the counties in Ireland could not produce ten respectable persons in Ireland of the Catholic religion above the rank of farmers.’ Where was the creature found who composed this speech? Is this ignorance only, or is it unblushing effrontery? I shall not stop to refute this foolish untruth; it may serve a purpose in England—in this country it is beneath ridicule. We soon after find it gravely asserted: ‘The meetings to appoint the present Committee were held for the most part during the assizes; but they were conducted in such a manner that it was almost impossible to find out what passed at the time.’ Shame, shame upon this profligate speech-writer. Why all Ireland knows that these meetings were held with even ostentatious publicity—that they were crowded with Protestants, and that he who could make the assertion I have just quoted deserves not the trouble of contradiction. There remains yet one calumny—Mr. Pole said ‘that if gentlemen would read the debates of the Com-

mittee, they would find *separation* openly and distinctly recommended.' Mr. Pole said no such thing; the man does not live sufficiently audacious. Why, my lord, this is a direct accusation of high treason, and he who would assert it of me I would brand with the foulest epithets. No; a writer in a newspaper may be found to compose such a paragraph, but no man in his senses in the world dare to utter it aloud. But if it *were* said, I care not while I proclaim it to be unfounded as it is injurious—as false as it is foul; and I defy the slightest proof to be given of its veracity. I have trespassed on you too long with this miserable speech; it deserves notice only because, having circulated among the English who know us not, it may, if uncontradicted, be believed. I am tempted to give you another instance of the stuff this speech is made of. It treats of the book called 'The Statement of the Penal Laws,' and, as usual, it flagrantly misrepresents or absurdly replies. Persons have done me the great honour of attributing that book to me. I should be proud to own it if I could, but I am incapable of writing so excellent a composition, or of sharing the honour with a gentleman to whose pen the Catholics of Ireland are deeply indebted. I hasten to conclude by expressing my conviction that Emancipation is certain and will be immediate. The cordial support of our Protestant brethren in Ireland assures us of it. The petition, which is exclusively their measure—the Protestant petition—has more signatures than were affixed to our own. It has been supported in every county by the wealth and talent of our affectionate countrymen. We have the Protestants of Ireland in our favour, and the rational part of the Protestants of England is not opposed to us. Oh! but one objection still remains to our emancipation. It is quite novel and important. Our enemies object to the tone which the Catholics use. This notable objection was discovered by the Earl of Rosse. He dislikes our tone; he might as well have quarrelled with our accent—but that would be rather a strong measure in Lord Rosse (laughter). Seriously speaking, the descendant of Sir William Parsons has an hereditary right to be the enemy of the Catholics. I do not believe his lordship has fallen into inconsistency. I have some faint recollection that he once enacted patriotism in Ireland; but I do not think he ever supported our claims, and I am sure I wish he never may."

Though reporting at that period had not attained the wonderful perfection which it has since acquired, we detect in the preceding speech the gigantic energy of O'Connell's mind. It

abounds in sturdy and vigorous ideas, and a consciousness of power breathes through this oration which must have rendered it irresistible when *heard*. "You have seen O'Connell," says an American writer. "Is he not a chieftain? Did you ever see a creature of such power of the tongue? I never saw any-one that could converse with an audience like him. Speeches may be as well made by other men, but I never heard such *public talk* from anybody. The creature's mind plays before ten thousand, and his voice flows as clearly and as leisurely as in a circle round a fireside; and he has the advantage of the excitement it affords to arouse his powers."

A distinguished Irish writer,* speaking of the supposed idleness of genius, adduces the example of O'Connell to prove that such idleness is a mere *platitudo*. "Bacon, Shakespeare, Milton, all who have enlightened and benefited the world, have been no less remarkable for their labour than for their genius. Physical activity may exist without mind—but the man of talent cannot be idle even though he desire it; he is mastered by his moral energy and pushed into activity whether he will or not. Vitality, or all-aliveness, energy, activity, are the great elements of what we call talents. . . . There is O'Connell—the head and front of all agitation, moral, political, social, and legal. When we read in the papers those eloquent and powerful speeches, in which the spectres of Ireland's oppression are called up from the depths of history, with a perfect knowledge of all that has concerned the country from its earliest records, and in which unnumbered modern instances of misrule, in all its shades of ignorance and venality, are collected from the store-house of his capacious memory—those speeches in which, amidst the fiery explosions of long-nurtured indignation (the petulant out-pourings of constitutional impatience), arguments of logical conviction and facts of curious detail come forth as from an exhaustless fountain—who but would suppose that the life of the patriot, demagogue, and agitator, was occupied exclusively in one great and absorbing cause. It is, however, on his way home from the courts, and after legal labours that have occupied him from the dawn of light, that he turns into the Catholic Committee—it is after having set a jury-box in a roar by his humour, made butchers weep by his pathos, driven a witness to the last shift of Irish evasion, and puzzled a judge by some point of law not dreamed of in his philosophy, that all weary and exhausted as he must be, he mounts the rostrum of the Committee, the *Jupiter Tonans* of the Catholic senate.

* Lady Morgan.

and by those thunderbolts of eloquence, so much more effective to hear than to read, kindles the lambent light of patriotism to its fiercest glow, and 'with fear of change' perplexes Orange lodges. Again, this boldest of demagogues, this mildest of men 'from Dan to Beersheba,' appears in the patriarchal light of a happy father of a happy family, practising all the social duties and nourishing all the social affections. It is remarkable that Mr. O'Connell is not only governed by the same sense of the value of time as influenced Sir Edward Coke, but literally obeys his injunctions for its partition which form the creed more than the practice of rising young lawyers. It is this intense and laborious diligence in his profession that has won him the public confidence. Where his abilities as a lawyer may be serviceable, party yields to self-interest; and many an inveterate ascendancy man leaves his friends, the Orange barristers, to hawk their empty bags through the courts, while he assigns to Catholic talent the cause which Catholic eloquence can best defend."

The statements of Lady Morgan are confirmed by those of O'Neill Daunt. The latter says: "Hedges Eyre, of Orange notoriety, invariably engaged O'Connell as his counsel. On one occasion a brother Orangeman severely censured Hedges Eyre for employing the Catholic leader: 'You've got seven counsel without him,' quoth this sage adviser; 'and why should you give your money to that Papist rascal?' Hedges did not make any immediate reply; but they both remained in court watching the progress of the trial. The counsel on the opposite side pressed for a non-suit, and carried the judge (Johnson) along with them. O'Connell remonstrated against the non-suit, protesting against so great an injustice. The judge seemed obdurate. 'Well *hear* me at all events!' said O'Connell. 'No, I won't,' replied the judge; 'I've already heard the leading counsel.' 'But *I* am conducting counsel, my lord,' rejoined O'Connell, 'and more intimately aware of the details of the case than my brethren. I entreat, therefore, that you will hear me.' The judge ungraciously consented; and in five minutes O'Connell had argued him out of the non-suit.—'Now,' said Hedges Eyre in triumph to his Orange confrere, 'Now you see why I gave my money to that Papist rascal.'"

Sir Robert Peel, the foremost of O'Connell's enemies, is said to have expressed his high appreciation of O'Connell's abilities. "My opinion candidly is," said Peel, speaking to a person who had called O'Connell *a brogueing Irish fellow*, "that if I wanted an efficient and powerful advocate, I would readily give up all

the other orators of whom we have been talking, provided I had with me this same brogueing Irish fellow."

The destinies of the British empire in 1812 were swayed by a minister named Perceval, whom O'Connell, with the intrepid courage which made him great and formidable, denounced as "an intolerant bigot." Grattan, rising in the House, had exclaimed, "The naked Irishman has a right to approach his God without a license from his king!" On hearing this noble sentiment, "that contemptible little creature, Perceval, assumed," said O'Connell, "rather the appearance of a convicted criminal receiving the just sentence of the law, than of a man placed at the head of the government of England." This man was assassinated in May, 1812. 'Twas evening; Perceval had quitted his carriage; he was passing through the lobby of the House of Commons, his mind surcharged with public affairs. He was about to enter the House, and present himself before the assembled senators, when a ruffian named Bellingham, in whose unsteady eye the lambent glare of insanity was blazing, discharged a pistol at him, and flung him on the ground, bleeding, writhing, and mortally wounded. Ere the smoke cleared away, Perceval was dead. "Where is the villain who fired?" screamed the voice of some one in a state of indescribable agony and distraction—"Where is the villain who fired?" and several spectators, equally distracted and alarmed, repeated the question. "I am the unfortunate man," said Bellingham calmly. "Who are you?" vociferated several, perusing him with indescribable inquiry, horror, and surprise. "My name is Bellingham. It is a private injury. I know what I have done. It was a denial of justice on the part of the government." Bellingham, who was perfectly mild and composed, was dragged to the bar of the House of Commons, tried, sentenced, and—though a lunatic—put to death.*

It is impossible to describe the hubbub and confusion into which the event threw the whole British community. The blow which killed the minister moved, distressed, and startled

* On the death of Perceval, Moore wrote a copy of exquisite verses from which the following is an extract:

"Even now, if one harsher emotion intrude,
'Tis to wish he had chosen some lowlier state—
Had known what he was—and content to be good,
Had ne'er for our ruin aspired to be great.
So left through their own little orbit to move,
His years might have rolled inoffensive away—
His children might still have been blessed with his love,
And England would ne'er have been cursed with his sway.

the whole empire. The blood of the victim was scarce dry when disorganization broke the ranks of party, which—torn and distracted by hopes, fears, anxieties, and speculations—was babbling with ten thousand tongues. Whigs, Tories, Catholics, and Orangemen, were alternately chilled by fear or warmed by expectation. The House of Lords was at first filled with consternation by the fall of this Goliath; but the aristocracy are too astute to be long disconcerted. They soon turned the accident into a weapon to wound the Catholics. “You see, my lords,” said the Earl of Rosse, better known as Sir Lawrence Parsons—“You see, my lords, the consequence of agitating the question of Catholic Emancipation.”

To the minds of loyal Englishmen there appeared at that moment serious grounds for alarm, if not dismay. The European nations were marshalled and directed by a single man, whose powerful and penetrative mind had discovered and was acting on the fatal secret—that England is only assailable through her pocket. The continental markets were shut in the face of English commerce—a circumstance which gave the aristocracy more just grounds for alarm than the rout of a hundred armies and the submersion of a hundred fleets. The working classes were alternately famished by hunger or maddened to insurrection. The miserable king of England was mooning and ranging, like Polyphemus in his cave, blindly and frantically about his splendid and gorgeous apartments—his head whitened with the snows of age—his brain darkened by the immovable cloud of insanity; eyeless, hoary, and bearded, he went groping round rooms which he could not see, fumbling and gabbling, and occasionally knocking his head against the velvet lining with which the padded walls were covered—the piteous victim of moody and slobbering idiocy.

Meantime, under the title of Regent, his son—a loathsome sensualist—was acting as king during the eclipse of his father's reason. “I believe,” said O'Connell, “there never was a greater scoundrel than that prince. To his other evil qualities he added a perfect disregard for truth. During his connexion with Mrs. Fitzherbert, Charles James Fox dined with him one day in that lady's company. After dinner, Mrs. Fitzherbert said, ‘By-the-bye, Mr. Fox, I had almost forgotten to ask you what you *did* say about me in the House of Commons the other night? The newspapers misrepresent so very strangely that one cannot depend on them. You were made to say that the prince authorised you to deny his marriage with me.’ The prince made monitory grimaces at Fox, and

immediately said, 'Upon my honour, my dear, I never authorised him to deny it.' 'Upon my honour, sir, you *did*,' said Fox, rising from the table. 'I had always thought your father the greatest liar in England, but now see that *you* are.'"

"Was he, in your opinion, a handsome, princely-looking fellow?" asked O'Neill Daunt. "When I saw him in 1794," replied O'Connell, "he was a remarkably handsome-faced man; his figure was faulty—narrow shoulders and enormous hips; yet altogether he was certainly a fine-looking fellow." Thomas Moore's opinion of the prince was very disparaging. "I am sure the powder in his royal highness's hair is much more settled than anything in his head, or indeed his heart," says Moore, speaking, in one of his private letters, of this individual. In the "Fudge Family," Moore expresses this disparaging opinion in verse. He says:

"The Regent's brains could we transfer
To some robust man-milliner,
The shop, the shears, the lace, the ribbon,
Would go, I doubt not, quite as glib on;
And, *vice versá*, take the pains
To give the Prince the shopman's brains,
One only change from thence would flow—
Ribbons would not be wasted so."

Notwithstanding his worthlessness, the Catholics were unquestionably fascinated by him, and cherished the delusive persuasion that he was at bottom their fast friend. They patiently waited and confidently hoped, that the dawn of this rising sun would be the signal of their deliverance; the darkness of their slavery would vanish, they thought, before the beneficent effulgence of his royalty. The glitter of a title has such irresistible fascination for the Irish mind, that they clung to this chimera with desperate tenacity even after repeated disappointments, realizing thoroughly the beautiful sentiments of their national poet when he makes Ireland say to the prince:

"When first I met thee warm and young,
There shone such truth about thee,
And on thy lips such promise hung
I did not dare to doubt thee.
I saw thee change—yet still relied;
Still clung with hope the fonder,
And thought, though false to all beside,
From me thou wouldst not wander.
But go, deceiver! go—
The heart whose hopes could make it
Trust one so false, so low,
Deserves that thou shouldst break it.

"When every tongue thy follies named,
 I fled the unwelcome story;
 Or found in ev'n the faults they blamed
 Some gleams of future glory.
 I still was true when nearer friends
 Conspired to wrong, to slight thee;
 The heart that now thy falsehood rends
 Would then have bled to right thee.
 But go, deceiver! go—
 Some day, perhaps, thou'lt waken
 From pleasure's dream to know
 The grief of hearts forsaken.

The Irish were persuaded that Perceval had drawn a magic circle round the prince, so as to exclude those amiable spirits from the throne who were propitious to the Catholics. They believed that the prince was naturally their friend, but that his judgment was warped, his firmness appalled, and his feelings excited by the portentous phantoms which Perceval conjured up and crowded into that magic circle. This was their persuasion—they flattered themselves with the delusive belief that they should be favorites were not Perceval prime minister. But the red right hand of an assassin had broken the wand of the conjurer; the magician was dead, yet the prince continued as cold as before. Still in their insane loyalty they would not censure the prince—he was secretly their friend, but an evil genius, they fancied, had penetrated the princely circle with

"The graceful form, instilling soft desire—
 The curling tresses, and the silver lyre"

of another Armida. A sensual trull, named the Countess of Hertford, had beguiled the prince, and banished from his councils honour, integrity, talent, and highmindedness. The disappointment of the Irish on finding themselves deceived found expression in the glowing lyrics of Moore and the impetuous oratory of O'Connell. The former said:

"Even now, though youth its bloom has shed,
 No lights of age adorn thee;
 The few who loved thee once have fled,
 And those who flatter, scorn thee.
 Thy midnight cup is pledged to slaves—
 No genial ties enwreath it;
 The smiling there, like light on graves,
 Has dank, cold hearts beneath it.
 But go! though worlds were thine,
 I would not now surrender
 One taintless tear of mine
 For all thy guilty splendour.

"And days may come, thou false one, yet,
 When even those ties shall sever,
 And thou wilt call with vain regret
 On her thou'st lost for ever—
 On her who in thy fortune's fall,
 With smiles had still received thee,
 And gladly died to prove thee all
 Her fancy once believed thee.
 Go, go! 'tis vain to curse—
 'Tis weakness to upbraid thee;
 Hate cannot wish thee worse
 Than guilt and shame have made thee."

An aggregate meeting of the Catholics of Ireland was held in Fishamble-street on the 18th June, 1812. In that meeting O'Connell "flung," as Shiel said, "a brood of sturdy ideas on the world without a rag to cover them"—ideas which Moore had clothed in the radiant garb of glowing verse. O'Connell said: "About the commencement of the Fox administration, in 1806, the Catholics, cheered by the prospect of redress which the return of the whigs to office threw open to their hopes, were about to prepare petitions, but were withheld from doing so by his grace the Duke of Bedford, then lord lieutenant, who communicated to the Catholics the wish of his royal highness, that the question should not then be agitated. 'The prince,' he said, 'was decidedly convinced of the justice of our claims, and resolved to admit them when he had the power to do so.' I see persons here to whom this language was held, and I am sure the Duke of Bedford would never have conveyed the idea had he not his authority directly from the prince. In the same year the same pledge was repeated by the chancellor of Ireland, George Ponsonby. Mr. Ponsonby, I understand, distinctly avows the authority under which he communicated to the Irish Catholics the promise of Emancipation—to be conceded in the fulness of time, when he whom we then cherished as the early friend and proudest hope of Ireland should have it in his power to rally the enthusiasm of a grateful people round his throne. Good God! what a prodigal waste has since been committed—not of wealth, for that is comparatively trash, but of the best defence of the monarch—the Irish people's love. The third pledge is a written one. That pledge afforded for years consolation to the Irish Catholics. It could leave little doubt as to the decision of the prince's mind. The fourth and last pledge was that given by his royal highness to a noble lord now present. Communicated by the prince, the pledge was written by the lord, and signed by two other noblemen who participated

in the conversation. His royal highness offered something like an apology for not promoting the success of our petition in 1805. However, he desired it to be understood that he had formed an unalterable opinion on the subject. His opinion was that concessions to the Catholics were required, not only by expediency and policy, but by the first principles of justice."

The language of O'Connell on the subject of Perceval's murder was very powerful. In the very lowest stratum of Irish society, however, he found a melancholy parallel for the "causeless assassination which had deprived England of a prime minister." He took up the case of a peasant boy whom an Orangeman had shot, and exhibited the bleeding youth to the compassion of his auditors in contrast to the murdered statesman—asking them "if all their feelings were to be exhausted by the great? Had they no pity for the Irish widow who lost her boy, her hope? 'My child,' she said, 'was but seventeen. On Sunday morning he left me quite well—but he came home a corpse.' Were her feelings to be despised and trampled on? Was the murderer to remain unpunished? Oh, yes, for Byrne was a Papist; the assassin, Hall, an Orangeman; nay, a Purple marksman. They should recollect that his grace the Duke of Richmond did not pardon Hall until after a patient trial. After that patient trial Hall had been convicted—convicted of having murdered in the public streets and in the open day, with arms entrusted for the defence of the public peace, an innocent and unoffending youth. Hall had been pardoned and set at large. Was there no vengeance for the blood of the widow's son? The head of that government which had allowed the blood of Byrne to flow unrequited, might have vindicated the notion of a Providential visitation for unpunished crime."

It was the opinion of O'Connell, that on the death of Perceval, the Catholics should have been emancipated had it not been for Lord Moira. "The truth must be told," said O'Connell. "This is Lord Moira's administration. He it was who stood between some worthless minions and the people's hopes. A single word from Lord Moira would have dismissed the minions. Why was not that word pronounced? Alas! I know not."

From these remarks it would appear that Lord Moira, whom the servile infatuation of the Irish had invested with a halo of light and splendour, and transfigured into the exalted champion of human freedom and general amelioration, had degenerated into the crawling pander of the swinish vices of the foul

prince regent. This appears to be O'Connell's meaning when he alludes to the "minions," who, encircling the throne, mixed the turpitude of the stews with the splendours of the palace. If such be the fact, a useful lesson may be garnered from the circumstance. It may serve to teach the important lesson, that nothing on earth can be so dangerous to human freedom as your "amiable and liberal lord." As in Lessing's fable, the fox, disguised in the spotless plumage of a bird, captures and destroys the poultry with more impunity and success than when the rapacious prowler is clothed undisguisedly in the warm fur of a thief—so the hypocritical peer who issues from the polished circle of privilege to enter the rude circle of democracy, is more formidable, more to be dreaded—though radiant with winning smiles and attractive blandishments, than the tyrant with his grim frown, harsh voice, iron chains, and gloomy dungeons. Such, at least, was the case of Lord Moira, who, by an appearance of honour, generosity, and chivalrous spirit, lured the admiration and won the confidence of the Irish, only to betray them when he rose to power—and this, by culpably conniving at the infamous tyranny of their Orange oppressors. "It may be said," continued O'Connell, "that as Lord Moira has gained power, the Catholics may reasonably expect some relief. Let us not be deceived. From the present ministry we can expect nothing." O'Connell then adds these melancholy words: "But in sober sadness, in whom are we to confide? Are we to believe the word of Castlereagh? My lord, I would not believe his oath. Already has he been deeply pledged. He was a United Irishman, and, as such, must have taken their test. That test was then administered I believe without the ceremonies of an oath, but had all the solemnity of that obligation. It pledged him to Catholic Emancipation and Parliamentary Reform. He volunteered a declaration in favour of both on the hustings of Down. It was a bond solemnly given to his constituents and his country. But how has he redeemed his pledges? He has emancipated the Catholics by duping them at the Union, and voting against them uniformly in parliament. He has reformed the parliament by selling it to the British minister. May this Walcheren minister be rewarded with the execration of his country, and may his tomb be engraved with the epitaph—*Vendidit hic auro patriam*.* No; from us Castlereagh can obtain no confidence; nor can his colleague, Lord Sidmouth—Lord Sidmouth, who declared to parliament he would

* "For gold he sold his native country."

prefer the re-enactment of the penal code to the extension of further privileges to the Catholics. Lord Sidmouth, who began by persecuting the dissenters, has been selected for the home department. He is to regulate the motions of the Irish government, and to cheer the drooping spirit of persecution in this country. His natural allies are embodied here—men who have worked themselves into reputation with ancient maidens and decayed matrons by gravity of deportment and church-wardening piety, but who all their lives have been discounting religion and God into promotion, pay, and plunder; these good men, as they fantastically designate themselves, have a suitable companion in Lord Sidmouth. From these holy people we must expect persecution. Let us be on our guard, and cautiously watch this ministry. As Lord Moira has been their patron, they will endeavour to deceive us with a show of concession. The question presses on them with all the force of present expediency and all the weight of eternal justice. If they could entrap us into collateral discussions—if they could entangle us in the chicanery of arrangement and securities, the public attention would be distracted and turned from the principal object, time would be wasted in useless discussions, animosities created by points of little importance, and, whilst practising the refinements of bigotry, the ministry would give themselves credit for unbounded liberality. Not twenty-four hours since, a friend of mine was speaking to one of those right honourables who are equally ready to pack juries, obtain pardon for an Orange assassin, or write paragraphs for the *Patriot*.* My friend said, 'You are going, I find, to emancipate the Catholics at last.' 'We!' replied the other. 'Oh, no; Canning's motion will entangle the rascals completely; we shall easily get rid of them without committing ourselves.' It is impossible they can do anything for us—they *would be false to themselves if they were true to Ireland*. But we have resources in ourselves—resources in the liberality of our Irish Protestant brethren, in the eternal ridicule with which bigotry has covered itself in the person of its chosen apostles. Above all, we are strong in the justice and in the inextinguishable right of man to unlimited liberty of conscience. Some of our enemies allow that the Catholic religion is innocent and even laudable in other countries; but when transplanted to Ireland it acquires malignity from the soil—in short, that other Papists are innocent and good, but Irish Papists execrable. But see what the fact is. Look to the history of the last six months.

* An Orange newspaper—the *Mail* of that time.

Tumult, riot, destruction of property, murder, insurrection, and almost actual rebellion have prevailed in England; while in Ireland there was seen obedience the most perfect, tranquillity the most profound. Though pressed by want and famine, goaded by packed juries, insulting prosecutions, and a thousand other wrongs which I shall not name, the people of Ireland, during England's greatest peril, have exhibited dutiful submission. Not a feather is ruffled on the surface of our island in a season of unexampled scarcity and distress. In the meantime the genius of Napoleon—the star of his imperial house—prevails. How he must rejoice to see the Dissenters and Catholics insulted by the nomination of Lord Sidmouth to rule the home department—to see Walcheren Castlereagh conducting our war counsels, and Lord Liverpool our prime minister. Securities are wanting against the folly, incapacity, and intolerance of this ministry—against the power and talents of the French emperor. That emperor has gone to Petersburg to dethrone his enemy or receive the submission of his vassal. It is absurd to expect any other result; he will return with his hundreds of thousands to the conquest of Spain and Portugal. What can the unarmed bands of one country or our few companies in the other be able to do, overmatched by myriads? And then, in what condition shall these islands be found to fight the battle of our existence? All my anxieties are roused to prepare for that dreadful moment. But I should fear it not if justice were distributed by the hand of confiding generosity. Every village would then produce a regiment; every field serve as a redoubt. The country combined in its strength would then laugh to scorn the power of every enemy. This is a vision—but it might have been realized. Why has it vanished? Why?—oh degrading recollection!—to preserve the household. My feelings overpower me. I must be silent.”

The effect which Napoleon's power produced on reflective minds in 1812—the portentous progress and alarming magnitude of his growing yet gigantic empire—is clearly perceptible in the oration we have just read. We breathe the alarm which pervaded the public mind as we peruse O'Connell's picture of the emperor's plans. A few weeks subsequently, O'Connell read in the newspapers accounts which corroborated his views, and gave an air of stern and simple veracity to the dreadful picture which he had so ably drawn of the overwhelming and irresistible power of the ruler of France. Read by the light of subsequent experience the following article from the *Free-man's Journal* of 7th October, 1812, is profoundly interesting.

The article stirs us up like the brazen blast of a martial trumpet—transfers us into the stirring times, and confronts us with the terrible scenes enacting on the theatre of Europe in 1812. For, like the splendour of the vesper sun, the power of Napoleon never appeared so gorgeous and magnificent as when about to descend into an abyss of gloom. Never were his foes so near despair as when he himself was on the verge of irretrievable disaster. On the morning of the 7th September, 1812, O'Connell, in his study in Merrion-square, took up the *Morning Freeman* and read the following lines: “The dreadful battle which has, we may say, decided the Russian contest, and completed the destruction of the unfortunate Alexander, was fought on the 7th ult. at the village of Moskowa. On the 5th, it seems, a redoubt which the Russians had formed upon their left, and at which a corps of 10,000 men were stationed, was taken. In one hour, we are told, they were put to flight, ‘leaving a third of their force upon the field of battle.’ The position of the main army was, it appears, too weak for the tedious operation of turning it; Bonaparte therefore resolved, by one of the bold strokes which are almost peculiar to him, to attack it by a direct assault. Before his resolution, however, was carried into effect, it seems he had adopted the precaution of ascertaining with accuracy the precise situation and circumstances of his enemy, for which purpose he passed the entire of the 6th in reconnoitering; and he was also prudential enough to wind up the spirits of his troops to the utmost pitch of enthusiasm by one of the most powerful of his inspiring addresses. Everything being duly prepared, on the morning of the 7th the ‘Sun of Austerlitz’ having risen ‘without clouds’—his plans having been laid, his knowledge of his adversary’s position perfected, the temper of his troops worked up to the highest degree of ardour—the battle commenced at six. In the short space of two hours the tide of victory rolled so powerfully against the Russians that the bulletin emphatically says, ‘they saw the battle lost which they thought had only commenced.’ The advantages of the position belonged to the French; their own batteries were turned against the Russians. ‘300 pieces of French cannon,’ says Bonaparte, ‘placed on the batteries thundered against their masses, and they died at the foot of those parapets which they had raised with so much labour to shelter themselves.’ The unfortunate Russians, dismayed at this sudden and tremendous shock, it appears, made an effort—a bold and intrepid but miserably imprudent effort—to regain

their lost advantages ; but this effort did nothing but expose thousands of human beings to inevitable destruction, and inundate the fields with unavailing gore. Here the wretched generalship of the Russians was eminently conspicuous—a stupidity, a want of experience, an absence of self-possession and thought, which no valour of troops has been ever able to sustain.

“ ‘There still remained to the enemy,’ says the bulletin, ‘his redoubts to the right. General Morand marched thither, and carried them ; but at nine in the morning, attacked upon all sides, he could not maintain himself there. The enemy, encouraged by this advantage, made both his reserve and his last troops advance to try his fortune again.’ From this passage it would appear that there were two desperate efforts made by the Russians to recover themselves—one along the line to regain their lost chain of retrenchments, and the other to regain the redoubts on the right. The result of the first effort we have narrated, and what was the result of the second ? It is thus described by the bulletin : ‘Eighty pieces of French cannon immediately arrest and then annihilate the enemy’s columns, which stood for two hours in close order under the chain shot—not daring to advance, unwilling to retire, yet renouncing their victory. Murat decided their uncertainty. He caused the fourth corps of cavalry to make a charge, who penetrated through the breaches our cannon shot had made in the condensed masses of the Russians and the squadrons of their cuirassiers ; they dispersed on all sides. Here the fortune of the day appeared to be unequivocally turned against the Russians ; and here again was there exhibited to their pitying friends another lamentable specimen of their wretched generalship. Perhaps the annals of modern warfare do not present so singular an example of blunder and total incapacity as is furnished by the Russian general’s exposing his troops for two hours, in condensed masses and without motion, to the fire of an enormous park of artillery. The havoc that was committed among the Russians is singularly great. The bulletin states their loss at between forty and fifty thousand men. There is good reason to suppose that Bonaparte does not underrate his enemies’ sufferings ; but when we consider the manner in which his unfortunate adversaries were exposed, we cannot think he exaggerates materially. We cannot well conceive what could withstand the operation of eighty pieces of cannon upon a condensed mass of several thousand men. Bonaparte himself gives a good reason for the enormous misfortune of the Russians : ‘Had the enemy,’ he says, ‘when

driven from his entrenchments, not endeavoured to retake them, our loss would be greater than his; but he destroyed his army by keeping it from eight o'clock till two under the fire of our batteries, and in obstinately attempting to regain that which was lost.' This was the cause of his immense loss."

The great power which Napoleon wielded affected the Irish Catholics in the most tender point—it furnished their enemies with a plausible pretext for torturing them with libels and withholding the privileges for which O'Connell sighed. The sovereign Pontiff was the captive of the imperial soldier, and Ireland was subject to the spiritual influence of the sovereign Pontiff. Therefore, said the Orangemen, the power of Napoleon extends over Ireland. This is what was meant by Castlereagh when, in a debate in Parliament, he said :

"An honourable gentleman had represented the Pope as a very feeble instrument even in the hands of the enemy. He (Lord Castlereagh) could not allow, however, that he was feeble in Ireland, where he had, perhaps, more power than in any other country. He would, however, freely confess that he never knew of the see of Rome having done anything, in the exercise of its ecclesiastical authority in Ireland, but what was perfectly fair and reasonable. But although it had hitherto conducted itself in a way that no fault could be found with it, it did not follow that if a future Pope should be absolutely nominated by Bonaparte, that the ecclesiastical influence of the Pope might not be very much abused in Ireland. This was a danger that should be guarded against; and in that case, without denying the Pope to be their spiritual head (which was a main tenet of their religion), the correspondence between the bishops and the Pope ought to be carried on in so open and undisguised a manner as not to give reasonable alarm to the state."

In the course of his reply to Lord Castlereagh, Mr. Tierney said: "He could not imagine why an Irish bishop should not in such a case be dealt with like an English bishop, who would only lose his head."

Among the resolutions passed by the meeting at which O'Connell made the preceding speech, there was one which scandalized the whole aristocracy, particularly the gracious patrons of Catholic plebeians, and stung that lump of corruption, the prince, into a tremor of rage. It referred to his disgraceful amour with Lady Hertford—to whose influence the Catholics ascribed the alienation of her royal paramour from the cause of religious liberty. It was a resolution which occasioned a prodigious hubbub at the period, because it struck a daring

blow at those voluptuous pleasures to which the servile aristocracy were the obsequious panders. It said: "That from authentic documents now before us we learn with deep disappointment and anguish how cruelly the promised boon of Catholic freedom has been intercepted by the fatal *witchery* of an unworthy secret influence hostile to our fairest hopes, spurning alike the sanctions of public and private virtue, the demands of personal gratitude, and the sacred obligations of plighted honour."

Nothing could surpass the hubbub which this stroke at the wanton associate of the prince's sensuality awakened in the aristocratic patrons of the Catholics. To understand the shock which they received and the indignation they felt, we must remember that they regarded his royal highness with religious awe as the head of the Established Church—the Pope of Protestantism—and this daring intrusion of plebeian censure into the secluded chambers of his enjoyments seemed, in their eyes, little less than sacrilege. It outraged their feelings and provoked their bitterest animadversions. Royal power had touched the prince's vices with an Ithurian spear, and deformity had become divine. The lord lieutenant (the Duke of Richmond) was extremely displeased. This nobleman had made himself particularly obnoxious to the Catholics by raising to the dignity of privy counsellor Dr. Patrick Duigenan—a man who had libelled the Catholics by the grossest slanders. Alluding to this unworthy selection, O'Connell said that "bigotry had covered itself with eternal ridicule in the person or its chosen apostle." At that time lords lieutenant came over to drink the Irish into good humour, as in more recent days they come over to palaver us into content. The Duke of Richmond was a drinking viceroy. His great mission was to go to bed drunk—for the good of Ireland. A poetical epistle, professing to be written by Dr. Duigenan to the Duke of Richmond, appeared then in the papers. It said:

"If your grace has a mind to be gay—
And we know you're the devil at that—
You will come take a drop of sweet *pea*,*
With your own privy counsellor, Pat.
Faith, it's so tempting, whate'er you may think of it,
Claret's but sour, and champagne is but ropish—
Besides, troth I've neither to give you, *asthore*;
But whiskey's the thing, be it ever so Popish,
To lay a right noble duke flat on the floor."

Were it possible to fathom the depths of the viceregal po-

* Whiskey.

tations, we might be able to calculate the loftiness of his proud indignation ; but such calculations are impossible, as the noble duke went deeper in his cups " than plummet ever sounded." If the Irish were not content and good-humoured, it was not his fault ; the boozing portion at least of the vice-regal duties was performed with enthusiastic devotedness. He was unutterably indignant at the *witchery* resolutions.

Notwithstanding his lordship's attention to such statesman-like cares, the Irish Catholics clamoured against their disqualifications, and the liberal Protestants poured on that pernicious measure, the Union, their unanimous execrations. His excellency the duke was not a little puzzled with their contumacy. He seriously thought that the Irish gentry were in duty bound to be perfectly satisfied with their shipless harbours, their deserted villages, their roofless manufactories, their ragged, discouraged, and dispirited peasantry—because his excellency went to bed drunk every night for their amusement. He could not conceive what more they could require. Yet they *did* require more. In reference to the regent's disgraceful attachment to Lady Hertford, the Catholics said : " To this impure source we trace but too distinctly our afflicted hopes and protracted servitude, the arrogant invasion of our undoubted right of petitioning, the acrimony of illegal state prosecutions, the surrender of Ireland to prolonged oppression and insult, and the many experiments, equally pitiable and perilous, recently practised upon the habitual passiveness of an ill-treated but high-spirited people. Cheerless, indeed, would be our prospects, and faint our hopes of success, were they to rest upon the constancy of courtiers or the pompous patronage of men who can coldly sacrifice the feelings and interests of millions at the shrine of perishable power—or, deluded by the blandishments of a too luxurious court, can hazard the safety of a people for ill-timed courtly compliment. The pageant of a court commands not our respect—our great cause rests upon the immutable foundations of truth, and justice, and reason. Equal constitutional rights—unconditional, unstipulated, unpurchased by dishonour—are objects dear to our hearts. They consist with virtue, wisdom, humanity, true religion, and unaffected honour, and can never be abandoned by men who deserve to be free."

Such were the " witchery resolutions" which made all the parasites of regal vice, all the tribes of titled corruption—" the peers, and dukes, and all their sweeping train," jibber, shriek,

and jump with speechless wrath or pallid consternation, until they were as distracted as "a wilderness of monkies."

"O'Connell's propensity," says Fagan, "to arraign in no measured language, men of distinguished rank who differed from him, has often been charged against him as a crime." It was really a virtue. He lived at a time when Catholics could be known, as they walked the street, by their sycophantic manners, their sneaking gait, and their crawling subserviency under every species of obloquy and insult. O'Connell taught them to raise their heads, look their enemies in the face, and proclaim fearlessly and boldly their indignation. By the masculine power of his character, as well as by the intrepidity of his invectives, he imparted to those poltroons a portion of his own courage—a lesson for which we can never be too grateful. Their minds expanded under his instruction until they became too large for their chains. It was not always *irritation*, as he himself expressed it in conversation with a friend of Mr. Fagan's*—it was *calculation* which made him adopt that style of animadversion. When the infatuated Whiteboys assembled in midnight council, he found it was not the oppressors of their country or the exactions of the parsons so much as personal injuries which roused their malice and incurred their censure. From this degradation O'Connell sought to rescue them. He found it necessary to elevate these grovelling serfs, and turn up to the lofty sources from which their grievances showered upon them, their misdirected attention. Besides, he was naturally provoked to fury by the unprincipled shuffling which the Catholic aristocracy manifested, and the rage this treachery excited, was often spread over the whole class. For instance, in 1803 the management of the Catholic petition was confided to Lord Fingal. His lordship had scarcely arrived in London when, we are told, he was invited to a conference with Mr. Ponsonby and other distinguished supporters of the Catholic cause. "These conferences," says Wyse, "afterwards proved of the most injurious consequence to the Catholic community. Whether," he continues, "from inadvertence, or zeal, or injudicious submission to the opinions of parliamentary advisers, Lord Fingal appears precipitately to have consented to the proposition of a measure for which certainly he had no adequate or specific authority from the body itself." He betrayed the Catholics. A whole train of evil consequences flowed from his treacherous proceeding. Mr. Ponsonby stated in the House that he "was authorised to say

* Fagan's "Life of O'Connell."

that the Catholic clergy were willing, in the event of the measure before the House being acceded to, that the appointment of every Catholic bishop in Ireland should in future finally rest in the king." Lord Grenville, in the Lords, on the 27th of the same month, went into the history of the Veto, and gave it to be understood "that it was a part of the system (the provision for the clergy was another) which was in contemplation at the time of the Union." These proffers were, however, unavailing. Mr. Perceval,* then prime minister, refused them a hearing; the motion for taking the petition into consideration was lost by large majorities in both Houses.

But this was a minor portion of the disasters which the duplicity of Lord Fingal entailed on the Irish Catholics. The morning after the debate, 26th May, Dr. Milner, the agent of the Catholic bishops, published a protest against the use which had been made of his name in the houses of parliament the preceding evening. In Ireland, the feeling of public reprobation could hardly be restrained. The moment the reports of the parliamentary debates arrived, there was a general burst of indignation. The public mind, heaving like a sea, was thrown into the utmost agitation. The laity revolted at the idea of the ministers of their religion becoming exposed to the corruption of the aristocracy. The clergy were roused by a common impulse to the assertion of their spiritual independence. A national synod was summoned, and the bishops passed a resolution condemnatory of the late proposition. This impression was ardently seconded by the people. The address attempted to be got up to Lord Fingal received only four signatures. The great mass of the people unequivocally pronounced against the Veto. This, perhaps, was an additional motive with the Catholic aristocracy to persevere in their dissent. Few of their body joined their voices with those of the large mass of their countrymen; they made common cause with Lord Fingal, and with the aristocratic party of the English Catholics (from whom all these differences had originated), thus encouraging by their influence a feud which deeply injured the best interests of Ireland.†

There is a curious passage in the correspondence of Sir A. Wellesley which throws some light on the motives, and perhaps machinations of the English Catholics. Sir Arthur Wellesley, writing to Lord Hawkesbury, 4th February, 1808, says: "I understand that the English Catholics have lately made some endeavours to unite their cause with the Irish of the same per-

* Wyse's "Catholic Association."

† *Ibid.*

suasion. The Irish appear to hope to derive some advantage from this union of interests, of which it can only be said that, if it should be made, it will inoculate them *with more religion*, and may have the effect of moderating their party violence; and, at all events, it will give us an additional channel for knowing their secrets." From this passage it seems probable that the English Catholic aristocracy embraced the Irish plebeians with precisely the same object as Judas contemplated when he kissed our Lord—to betray them to their persecutors; at least, this was the expected effect of the alliance. They hoped to make us good Catholics and bad patriots—to heat our religious fervour to something like fanaticism so as to prevent our union with Irish Protestants, and cool our patriotic ardour to something like tepidity, that we might lie for ever prostrate and in rags at the feet of Great Britain. The English and, indeed, the Irish Vetoists had unquestionably, in the opinion of O'Connell, very pernicious designs.

O'Connell, when talking one day to a Catholic priest in the county Limerick, mentioned casually the name of Chief Baron Wolfe. "I believe, Mr. O'Connell," said the priest, "he was strongly opposed to you on the Veto question?"

"Yes," answered O'Connell; "Wolfe thought that Emancipation should be purchased at the expense of handing over to government the appointment of Catholic bishops, under the name of a Veto. The only occasion on which we came into public collision with each other on that subject was at a great meeting in Limerick, when he made a powerful speech—as powerful as could be made in a bad cause—in favour of the Veto. He came forward to the front of the gallery. We were in the body of the house; and in the delivery of his discourse there was manifested some little disposition to interrupt him; but I easily prevented that. When I rose in reply, I told the story of the sheep that were fattening under the protection of their dogs, when an address to them to get rid of their dogs was presented by the wolves. I said that the leading *Wolfe* came forward to the front of the gallery, and persuaded the sheep to give up the dogs—they obeyed him, and were instantly devoured; and I then expressed a hope that the Catholics of Ireland would be warned by that example never to yield to a *Wolfe* again. With that pleasantry our differences ended; for he admitted that the popular sentiment was against him, and he gave up any further agitation of that question."

"I well recollect that occasion," said the priest; "and afterwards Wolfe observed how useless it was to contend with

O'Connell. 'Here have I made an oration that I had been elaborating for three weeks previously—and this man entirely demolishes the effect of all my rhetoric by a flash of humour and a pun upon my name !' "

The following sketch from the able and amusing "Reminiscences of a Silent Agitator," in the *Irish Monthly Magazine*, is so faithful to truth, with respect to the transactions of the period, that we are induced to give it insertion :

"The time at length came when the maturing strength of the second order grew so obnoxious to the fastidious tastes of the Corinthians, that a secession from the democratic conventions was resolved on ; and the Catholic aristocracy formed itself into a Prætorian band, under the title of Seceders. Their secretary was Le Chevalier 'de M'Carthy, brother to the count of the same name,' who derives his patent of nobility—like the knights who were slain by the Princess Rusty Fusty in O'Keefe's farce—from the 'Holy Roman Empire ;' and their hall of assembly was the drawing-room in the mansion of a nobleman (Lord Trimleston)—a most appropriate place for the means and ends they possessed and entertained. Circulars were directed to those belonging to the Catholic body who were considered entitled to the private *entré* of Lord Trimleston's saloon ; and some meetings were held by those political exclusives, where speeches were delivered and resolutions passed without subjecting the eloquent declaimers to those occasional interruptions, which in mixed assemblies are rudely offered, expressive of applause. Too polite to be personal in their allusions to the political opponents of the cause, they were also too refined in their selection of language to be either spirited or independent in their sentiments ; and when they touched upon the feeling of the civil degradation which they were enduring, it was calculated more to excite compassion for their privations, than applause for the indignant sense of wrong they should have displayed. The proceedings of the Seceders would have passed away like any other drawing-room amusements, commencing with politics and ending with a promenade, were it not that they took upon themselves to act for the people, and to assume a sort of dictation in their cause. This was not to be endured, and at their next meeting the uninvited O'Connell was resolved to appear—

'In their own halls I'll brave them.'

"The Seceders appointed a committee to prepare an address to the prince regent, and also agreed on a petition to parlia-

ment, in the spring of the year 1814; all which transactions emanated from Lord Trimleston's drawing-room. At the latter end of March, a circular was issued by Le Chevalier de M'Carthy, their secretary of state, to those who were supposed to sanction the secession, inviting them to attend, for the purpose of 'hearing the report of the committee appointed to prepare the address to his royal highness the prince regent, and to receive a communication from the Earl of Donoughmore.' The Chevalier also requested that 'you would be so good as to mention this, with my compliments, to those of your acquaintance *who have signed the petition adopted on the 23rd February.*' All those who still adhered to the Catholic Board (the model of the association) were passed over, and the Seceders imagined, that as the meeting was to take place in the mansion of a nobleman, that no tribune of the people would dare to intrude upon their privacy, or present himself at the portals uninvited. Wrapped in all the confidence of security from such a visitation, the members of this Aulic Council assembled to deliberate upon their snail-pace progress, and to prepare their forces for their inoffensive warfare. In the midst of their proceedings, a loud knock at the hall-door startled the slumbering echoes in Trimleston House, and attracted the attention of its drawing-room convention. The noble president looked embarrassed—the hectic of a moment passed over his cheek, but did not tarry. The knock was both loud and long, and terminated in a climax of sound: a general presentiment seemed to pervade the assembly, that there was but one person who would have the audacity to demand admittance in that manner. The Chevalier, more courageous than the rest, rose from his place at the table, and went to reconnoitre from a position on the staircase, and returned with a hurried step to his seat, whispering to those who were immediately around him something which did not seem to relieve their suspense. The Chevalier had scarcely taken his pen into his hand, when the door opened and O'Connell advanced to the table. It would require a lengthened report to convey an idea of the debate which ensued; or perhaps the pencil of a Hogarth could best describe the effect of the scene—the expression of impatience and vexation which loured on the brows of his auditors, contrasted with the look of scornful rebuke which *he* cast upon them, one and all—the haughty tone with which he interrogated them, why they dared to take upon themselves to act for the Catholic people of Ireland, and to exclude from their meetings those belonging to

that people who were *their* superiors in every attribute? Dismayed and humiliated, the Seceders never after ventured to assemble; and whether his royal highness received the contemplated address, or whether the Earl of Donoughmore's epistle was replied to, are matters I have not been able to ascertain. As a body, they were as effectually dissolved as the Council of Five Hundred was—with this difference, that moral influence alone completed in the one case what the direction of military force achieved in the other. The next step the Seceders took was to secede from a secession, and as the Irish watchman once said to a nocturnal disturber, '*disperse yourself*;' each retired within the glittering shell of his title or his opulence, and, like snails, left no memorial but the slime of their proceedings to record them."

Notwithstanding the craft and duplicity of the nobility, the simplicity and honest earnestness of the humbler classes enabled O'Connell to carry his views on the question of the Veto. At the same time thousands who were loud in denouncing the Veto had, it must be confessed, but a dim and cloudy comprehension of its real nature. A country friar undertook, according to O'Connell, to dispel the ignorance of his hearers by the following discourse: "Now, *ma boughali*," said the friar, announcing a meeting in 1813, "you havn't got gumption, and should therefore be guided by them that have. This meeting is all about the Veto—d'ye see. And now, as none of you know what the Veto is, I'll just make it all as clear as a whistle to you. The Veto, you see, is a Latin word, *ma boughali*; and none of yez understands Latin. But I will let yez know all the inns and outs of it, boys, if you'll only just listen to me now. The Veto is a thing that—you see, boys, the Veto is a thing that—that the meeting on Monday is to be held about (here were cheers and cries of 'hear! hear!') The Veto is a thing that, in short—in short, boys, it's a thing that has puzzled wiser people than any of yez. In short, boys, as none of yez is able to comprehend the Veto, I need not take up more of your time about it now; but I'll give you this piece of advice, boys—just go to the meeting and listen to Counsellor O'Connell, and just do whatever he bids you, boys."*

The celebrated Edmund Burke, in a letter written during 1782, is more explanatory than the friar described by Daniel O'Connell. He says: "If the state provided a suitable maintenance and temporalities for those governing members (bishops) and clergy under them, I should think the project, however

* O'Neill Daunt's "Personal Recollections."

improper in other respects, to be by no means unjust. But to deprive a poor people who maintain a second set of clergy out of the miserable remains that is left after taxing and tithing—to deprive them of the disposition of their own charities among their own communion, would, in my opinion, be an intolerable hardship. Never were the members of one religious sect fit to be the pastors of another. . . . It is a great deal to suppose that even the present Castle would nominate bishops for the Roman Church of Ireland with a religious regard for its welfare. Perhaps they cannot—perhaps they dare not. . . . But allowing the present Castle finds itself fit to administer the government of a Church which they solemnly forswear—and forswear with hard words and many evil epithets—yet they cannot ensure themselves that a man like the late Lord Chesterfield will not succeed to them. This man, while he was duping the credulity of the Papists with fine words in private, and commending their good behaviour during a rebellion in Great Britain—1745—was capable of urging penal laws against them in a speech from the throne, and stimulating with provocatives the wearied and half-exhausted bigotry of the then parliament of Ireland. Suppose an atheist playing the part of a bigot to be in power *again* in this country, do you believe he would faithfully and religiously administer the trust of appointing pastors to a Church which, wanting every other support, stands in tenfold need of ministers who will be dear to the people committed to their charge, and who will exercise a really paternal authority among them? . . . Whoever is complainant against his brother will be considered as a persecutor; whoever is censured by his superior will be looked upon as oppressed; whoever is careless in his opinions will be called a liberal man, and supposed to have incurred hatred because he was not a bigot.”

When these sentiments of Burke are contrasted with the shuffling conduct of Lord Fingal, how little, shabby, and contemptible his lordship appears beside the lofty and natural nobility of talent and virtue.

Out of the ruins of the Catholic Committee—which after the prosecution of Judge Downes, lapsed piecemeal into scattered fragments—rose, young and vigorous, the Catholic Board. From the fragments of the old one, the new structure was built up; and into this young body, the hardy spirit of the Committee was transferred. The new association, under an altered title, consisted of a voluntary assemblage of the former members, who avoided everything that could be construed into a *re-*

presentative character. The circular letter of Wellesley Pole had accomplished nothing more than the changing of one appellation for another—the Catholic *Committee* became the Catholic *Board*. Thus from their enemies they drew strength and courage; the only real obstacles which they had to encounter proceeded exclusively from their *friends* and from themselves.

In the year in which we write, 1863, the Irish secretary (which means the government of Ireland) is Sir Robert Peel. In the year 1812, O'Connell, one morning in June, was startled to read in a morning paper the following announcement: "Mr. Robert Peel was introduced on Thursday to the prince regent as secretary of state to the lord lieutenant of Ireland." Shortly afterwards—that is, in July, 1812—the Catholics held an aggregate meeting, as usual, to petition parliament—and as usual Lord Fingal took the chair. "The parliament of the United Kingdom," said O'Connell, "after nearly twelve years of neglect or rejection, has at length undertaken the consideration of our great cause. One branch of the legislature resolves to investigate the penal code of Ireland with a view to its repeal, and perhaps before this hour, a similar resolution has been adopted by the House of Lords."

The Irish Catholics were at that time exempt from many of the penal laws which still were in force against English Catholics. Catholic officers, holding rank in Ireland, lost that rank when they removed to England, because in England the Catholics were still disqualified. To remedy this anomalous state of things was, amongst other matters, the object of the lower House in considering in 1812 the Catholic question. Taking advantage of this circumstance, Lord Fingal availed himself of the opportunity to preach to the Irish, confidence in the English government. His slavishness stung O'Connell. "I too, my lord," he said, "am ready to confide—I am ready with you to confide in the great and growing liberality of the British nation, in the pledge of the honourable House, in the promised vote of the Lords. But let me conjure the meeting to place its first and principal reliance in a determined spirit to persevere, and never to relax their efforts until religious freedom is established. I may remind my countrymen of the advice of Cromwell to his soldiers. The night was wet, and they as usual were engaged in prayer. 'Confide' said he, 'in the Lord; put all your trust and confidence in the Lord—but be quite sure to sleep upon your matchlocks.' Such, my lord, is the confidence we ought to entertain at present. Every circumstance suggests caution. He

has read history to little purpose, who does not doubt the fair professions of newly converted enemies; it is for this that history is useful. At three different periods within the last twenty years, the Catholics might have been emancipated if a combination of exertion had been used. Twenty years, however, have passed away—and we are still slaves. My days—the blossom of my youth and the flower of my manhood—have been darkened by the dreariness of servitude. In this my native land, the land of my sires, I am degraded without fault or crime—an alien and an outcast. We do not, my lord, deserve this treatment. In 1793, great boons were extorted from an adverse government; but many galling and insulting restrictions remained. And why? Simply because the Catholics were not sufficiently combined and sufficiently determined. The second occasion on which Catholics might have been emancipated was the Union; but at that period also the Catholics were much divided among themselves; a reign of terror prevailed, and the voice of the Irish people was stifled. Amid the bitter anguish which the memory of my extinguished country excites, I have consolations both personal and public. Opposition to the Union was, and I thank my God for it, the first act of my political life. The Catholics are free from the guilt of having participated in the sale of their country, and are bound by no contract to continue their thralldom. Nay, the existence of the penal code is soothed by the recollection that, in the efforts made to procure redress, a popular spirit is roused, which if not soon allayed by the voice of emancipation, may generate a determination to reanimate the fallen constitution. The third and last period at which Catholics might have been emancipated occurred since I had the honour to be an humble labourer in the Catholic cause—it was the commencement of Mr. Fox's administration. Mr. Scully was present as a delegate when Mr. Fox proclaimed the restrictive code as a crime—religious liberty as a right. 'I cannot,' said that enlightened statesman—'I cannot consent to become your advocate unless you are ready to concede to all other sects the toleration you require for yourselves.' 'We would be unworthy to obtain it could we hesitate to accede to your terms: we would gladly bestow on all mankind what we ask for ourselves,' was the reply. In 1806, that very Mr. Fox became minister. The Catholics did not press their claims. If I am asked the question, why? alas! I cannot tell. I was myself one of the actors of the national drama—and yet I am quite ignorant why we did not insist upon the recent pledge being redeemed. The Irish had

been so long used to obloquy and harshness, that they received as a boon deserving of gratitude the mere language of conciliation. The result was, that the favourable moment of compelling that administration either to emancipate or to resign was passed by, and our servitude continues to this very hour. From the errors of those periods let our present course be free. Our course is simple and plain. It consists, not in relaxing but in redoubling our efforts—in pressing forward again, as a people should do who deserve liberty. But if we fail! Are we to owe our freedom to Lord Castlereagh and to Lord Sidmouth? Let us, my lord, beware of raising too high the expectations of the country. In such a people as the Irish the effects of disappointment may be terrific. They are too apt to believe that which they wish—too prone to rely; and when the hour of political treachery has come, the sudden violence of disappointed expectation is not likely to be controlled by the influence of reason. Already we have seen the effects of blasting the hopes of the Irish people. In 1794, Lord Fitzwilliam arrived in Ireland. He proclaimed our freedom as at hand. The Irish parliament sung responsive; the Catholic Bill was brought in under the most favourable auspices. If it had passed, the Union was hopeless. Mr. Pitt, preparing that measure, from a distance saw the consequence of abolishing religious dissensions; the promised liberality was withdrawn, and in the space of one short month the very parliament which bade the Catholic rise to freedom, declared that dissensions should be perpetual and slavery eternal. In a short time the land was deluged with native blood, and rebellion reared its horrid crest. Lord Castlereagh interposed, and terminated the scene according to the original plan—by the Union. That same Castlereagh again governs. Is it safe, my lord—is it prudent to exaggerate the people's hopes? Let us spare our country from the horrid consequences of outraged feelings. We should warn the people not to believe over much those who are hacknied in duplicity and treachery."

O'Connell was asked on one occasion if he ever heard Fox—the statesman—to whom he alludes in the preceding extract. "Yes," was his reply, "and he spoke delightfully; his speech was better than Pitt's. The *forte* of Pitt, as an orator, was majestic declamation and an inimitable felicity of phrase. The word he used was always the very best word that could be got to express his idea. The only man I ever knew who approached Pitt in this particular was Charles Kendal Bushe, whose phrases were always admirably happy."

In reading the speeches of O'Connell, it is possible that the existing generation may be animated with his spirit—may obey the precept of the poet :

“ Read while you arm you—arm you while you read.”

Their sympathy may excite their emulation and rouse them to revive the battle, which, though slumbering and tailing at present, may ere long, “ doubly thundering, swell the gale,” crown their industry with security, their agriculture with manufactures their nation with self-government, and make Ireland

“ Great, glorious, and free.”

With some hope of this kind we have presented our readers with gems of O'Connell's oratory, which, like the gems and treasures of science and travel in some rich and well-stocked museum, are calculated to excite interest, gratify curiosity, and extend information. O'Connell, in an after part of the speech already quoted, said: “ The opposition to Catholic Emancipation has assumed a new shape. Everybody laughs at Jack Giffard and Paddy Duigenan ; their worthy colleague in England, Sir William Scott, no longer ventures to meet with adverse front the justice of our cause. He may talk of the ‘ moral inferiority ’ of the Irish Catholics ; he may talk of setting our question to rest ; but let him rest assured that so long as his children—if he have any—so long as the swarthy race of Scots are placed by law superior to the Irish Catholics, so long will it be impossible to put the question to rest. It never can, it never shall rest, save in unconditional Emancipation. As to the ‘ moral inferiority,’ I shall not dispute the point with him ; but I trust no Catholic judge will ever be found with such an accommodating disposition as to decide the same question in two different ways, as we are told that learned gentleman has done. Let him—I am sure I consent—direct his sapient attention to points of delay. These points of delay are obvious. First, there is the Veto. The Catholic people cannot see, in the actual selection of officials by the Irish government, anything to tempt them to confer on that government the nomination of upwards of thirty other offices of honour and emolument. If hostility to the Irish people be a recognised recommendation to all other employments, is it likely that in one alone, virtue and moral fitness should obtain the appointment ? It was too gross and glaring a presumption in an administration, avowing its hostility to everything Irish, to expect to be allowed to interfere with the religious discipline of the Irish Church. Having disposed of the Veto, there remains but one resource for

intolerance—the classic Castlereagh has struck it out ; it consists in—what do you think ? why, in ‘hitches.’ Yes ; ‘hitches’ is the elegant word which is now destined to protract our degradation. It is in vain that our foes have been converted ; in vain has Wellesley Pole become our warm admirer. Oh ! how beautiful must he have looked advocating the Catholic cause ! And his conversion, too, has been accounted for on such philosophic principles. Yes ; he has gravely informed us that he was all his life a man detesting committees ; you might see by him that the name of a committee discomposed his nerves, and excited his most irritable feelings—at the sound of a committee he was roused to madness. Now, the Papists had insisted on acting by a committee—the naughty Papists had used nothing but profane committees, and, of course, he proclaimed his hostility. But in proportion as he disliked committees, so did he love and approve of aggregate meetings—respectable aggregate meetings. Had there been a chamber in the Castle large enough for an aggregate meeting, he would have given it. Who does not see that by law, logic, philosophy, and the science of legislation, it is quite right to doat upon aggregate meetings and detest committees ? All recommend the one and condemn the other ; and at length the Catholics have had the good sense to call their committee a Board—to make their aggregate meetings more frequent. They therefore deserve Emancipation, and, with the blessing of God, he (Mr. Pole) would confer it on them. Lord Castlereagh, too, has declared in our favour, with the prudent reserve of the ‘hitches ;’ he is our friend, and has been so these last twenty years—our secret friend. As he says so on his honour as a gentleman, we must believe him. If it be a merit in the minister of a great nation to possess profound discretion, this merit Lord Castlereagh possesses in an eminent degree. Why, he has preserved this secret with the utmost success. Who ever suspected that he had such a secret in his keeping ? The whole tenor of his life negatived the idea of his being our friend ; he spoke against us, he voted against us, he wrote and published against us—and it turns out now that he did all this merely to show how well he could keep a secret ! Oh ! admirable contriver ! Oh ! most successful placeman ! Most discreet and confidential of ministers !”

Patrick Duigenan, whom O’Connell above alludes to, “ was a man,” says Sir Jonah Barrington, “ whose name must survive so long as the feuds of Ireland shall be remembered.” On many points the conduct of this man was so irregular, incon-

sistent, and singular, that even now it is impossible to decide with certainty as to his genuine principles—if such he possessed—upon any one subject, religious or political. His father was parish clerk of St. Werburgh's church, Dublin, and as he was born on St. Patrick's Day, he was christened Patrick in honour of the national Apostle. In whatever station he might have been placed, or whatever profession he might have adopted, he could not fail to become a conspicuous character: the activity and vigour of his intellect would not allow him to pass through life an unsignalised spectator; and if he had not at an early period enlisted as a champion of Protestantism, it is more than probable he would with equal zeal and courage have borne aloft the standard of St. Peter. Incapable of moderation upon any subject, his hot, rough, courageous, and stubborn mind, strengthened by a memory of extraordinary retention, and very considerable erudition, contributed their attributes equally to the speeches he pronounced and the essays he penned. He considered invective the primary quality of a public orator, detail as the second, and decorum as the third and least necessary. A partisan in his very nature, every act of his life was influenced by invincible prepossessions; a strong guard of inveterate prejudices were sure on all subjects to keep moderation at a distance, and occasionally prevented even common reason from obtruding on his dogmas, or interrupting his speeches. A mingled strain of erudition and vulgarity, rhapsody and reasoning, unlimited assertion and boisterous invective, were blended in inextricable confusion in the turbid current of his writings and orations. His mode of composition was peculiar: he folded a sheet of paper into four parts, and wrote rapidly on each side, and so soon as the sheet was filled with close writing, sent it off to the press for publication, without ever reading one word or correcting a single syllable.* He early resolved, he said, to print always what came uppermost, which was generally the best, and certainly the most natural. The only alteration he ever made in any of his works was in the "*Lachrymæ Academicæ*," a satire on Trinity College, in which he inserted the following afterthought: "The source of Sir John Blaquiere, like that of the Nile, has never yet been discovered." He persuaded himself that he was a true fanatic; but though the world gave him credit for his practical intolerance, there were many exceptions to the consistency of his professions, and many persons doubted his theoretic sincerity. His intolerance was too outrageous to

* Sir Jonah Barrington's "Anecdotes of the Union."

be honest, and too unreasonable to be sincere. With a spirit naturally open and zealous, he was often an ardent and sincere friend ; and though publicly harsh, he was privately charitable, yet seemed almost ashamed of doing anything that could be called benevolent. His tongue and his actions were constantly at variance. He was surly and yet hospitable, beneficent and yet gruff, prejudiced and yet liberal, friendly and yet brutal. His bad qualities he exposed without reserve to the public ; his good ones he husbanded for private intercourse. Many of the former were fictitious, all the latter were natural. Sir Jonah Barrington, to whom we are indebted for this sketch, tells us, in his "Anecdotes of the Union," that "Duigenan had an honest heart, a perverted judgment, and an outrageous temper ; and as if he conceived that right was wrong, he surlily endeavoured to cloak his benevolence under the rough garb of a rude misanthropy. In private society he was often genial and convivial ; and when his memory, his classic reading, and miscellaneous information were converted to the purposes of humour and entertainment, they gave his conversation a quaint, joyous, eccentric cast, highly entertaining to strangers, and still more pleasing to those accustomed to the display of his versatilities." His first wife was a Catholic, whose sister, Miss Cusack, had been a nun previously to the French Revolution, and resided with the doctor. A Catholic priest resided generally in the doctor's house as confessor and domestic chaplain to the ladies, and occasionally did the honours of his table. All the doctor's servants were Catholics, and a great majority of his guests and intimates were of the same persuasion. In his domestic circle he lived much among Catholics, who very properly judged that his hospitable table and open purse were at least consolations for the virulent sallies of invective with which the doctor occasionally belaboured the whole fraternity. There was a solidity about his hospitality, a vague unsubstantiality about his abuse, which rendered the latter, at least, questionable. He subsequently, however, married a second wife—a clever English lady, whom he caught in Dublin. She was a relict of Mr. Heppenstal, one of the most zealous of the Orange Association, and brother to the celebrated Lieutenant Heppenstal who, in 1798, acquired the epithet of "walking gallows" from the following circumstance, being a remarkably tall, robust man, he had a habit of dexterously strangling straggling rebels by twisting his own cravat round their necks, then throwing it over his own brawny shoulders, and so trotting about at a smart pace with the rebel dangling at his back, and

choking gradually until he was defunct, which generally happened before the lieutenant was tired of his amusement.—This ingenious contrivance was never practised in any other part of the world, but it was the humour of 1798, and was not discountenanced by any legal, military, or municipal authority. At that time Lord Clare was chancellor. To return to Dr. Duigenan : his strong, sturdy person and coarse, dogmatic, intelligent, yet obstinate countenance, indicated many of his characteristic qualities. He injured the reputation of the Protestant ascendancy by his extravagant support of its most untenable principles. He served the Catholics by the excess of his calumnies, and aided their claims to amelioration by personifying that virulent sectarian intolerance which was the subject of their grievances.

In the speech last quoted, O'Connell explains the "hitches" of Lord Castlereagh. Should the parliament pass an act for the suppression of the servile rebellion then raging in England, the administration would suspend the Habeas Corpus *there*, for the purpose of crushing Emancipation *here*. Passing harmless over the heads of the English rioters, the new laws would fall only on the peaceful Irish. Venal outcry and arbitrary law, to suppress the discussion of Catholic grievances, was the obvious meaning which Lord Castlereagh attached to the word "hitches." O'Connell said : "As to us Popish agitators—for I own it, my lord, I am an agitator—as to us agitators amongst the Catholics, we are become too much accustomed to calumny to be terrified by it. But how have we deserved reproach and obloquy? How have we merited calumny? Of myself, my lord, I shall say nothing. I possess no talents for the office; but no man shall prevent the assertion of my rigid honesty. I am, it is true, the lowliest of the agitators; but there are amongst them men of first-rate talents and of ample fortunes. Out of our hands the people may be easily taken. They are bound to us only by the ties of mutual sufferings and mutual sympathies. We are the mere straws which are borne upon the torrent of public wrongs and public griefs. Restore their rights to the people. Conciliate the Irish nation, which is ready to meet you half way, and the power of the agitators is gone in an instant. The alarm expressed at this agitation is a high compliment; it clearly points out the course we ought to pursue. Let us rouse the Irish people, from one extreme to the other of the island, in this constitutional cause. Let the Catholic combine with the Protestant and the Protestant with the Catholic, and one gene-

rous exertion sets every feeling at rest, and banishes for ever dissension and division."

Such was the speech which O'Connell delivered on the 2nd July, 1812. He evidently delivered it under the cheering influence of some slight expectation. It would appear that through the darkened sky which had shut out from the eyes of the Catholics the serene prospect of hope, a blaze of sunshine had broken, and for a moment cheered with its sparkling effulgence the damp and downcast body of Irish helots. They were no longer depressed. Under these circumstances, O'Connell delivered the foregoing speech. But his keen glance perceived that the welcome light which streaked the dark aspect of their horizon was a fugitive and watery beam, and he expresses his misgivings in a very remarkable manner in the course of this discourse. He saw that the fate of the Irish, endeavouring to reach freedom, must for some time resemble that of mariners endeavouring to reach a port :

"As, to night-wandering sailors, pale with fears,
Wide o'er the watery waste a light appears,
Which on the far-seen mountain blazing high,
Streams from some lonely watch-tower to the sky :
With mournful eyes they gaze, and gaze again—
Loud howls the storm and drives them o'er the main."

Events proved that he was right. A dissolution of parliament was at that moment in the contemplation of the aristocracy. The House of Commons—whose members for the most part are the lackeys of the Lords—was accordingly permitted to pledge itself unequivocally to some measure of emancipation. He had every reason to suspect the honesty of the men who were then in office, and the doubts which he harboured he expresses in emphatic and powerful language. "Believe me," said he, "my prophetic fears are not in vain. I know the managers well, and place no confidence in their *holy seeming*."

The celebrated Philpot Curran delivered an opinion respecting this ministry about this period, which, if not strictly true, is extremely eloquent. He said: "The instruments of our government had almost been simplified into the tax-gatherer and the hangman. At length, after a long night of suffering, the morning-star of our redemption casts its light upon us. The mist is dissolved, and all men perceive that those whom they had been blindly attacking in the dark, were in reality their friends and fellow-sufferers. We have made a discovery of the grand principle in politics—that the tyrant is in every instance the creature of the slave—that he is a cowardly and computing

animal, and that in every instance he calculates between the expenditure and the advantage. I therefore do not hesitate to say, that if the wretched Island of Man had sense and spirit to see the force of this truth, she could not be enslaved by the whole power of England. The oppressor would see that the necessary expenditure in whips, and chains, and gibbets, would infinitely countervail the ultimate value of the acquisition—and it is owing to ignorance of this unquestionable truth that so much of this agitated globe has been crawled over by a slave population. This discovery, at least, Ireland has made. The Catholic claimed his rights; the Protestant seconded the claim. A silly government was driven to the despicable courage of cowardice, and resorted to the odious artillery of persecution. The expedient failed: the question made its way to the discussion of the senate. A House of Commons who at least represented themselves, perhaps ashamed of their employers, became unmanageable tools in the hands of such awkward artists, and were dissolved—just as a beaten gamester throws the cards into the fire, in hope in a new pack to find better fortune.”

O'Connell, in a foregoing speech, described in a powerful manner the three opportunities which presented themselves successively to Catholics of attaining liberty, but when the palm of victory was within their reach, they failed, on three several occasions, to stretch out their hands; the opportunity escaped them—'twas swept away by the stream of thick-coming events, and they sank once more into bondage and misery. In a subsequent speech he described the three successive ministries that rose and marred the hopes of the Catholics. There is nothing in English literature superior to the passage in which this is done—it is a perfect gem. “The principle of the Pitt administration,” said O'Connell, “was to deprive the people of all share in the government, and to vest all power and authority in the crown. In short, Pitt's views amounted to unqualified despotism. This great object he steadily pursued through his ill-starred career. It is true he encouraged commerce—but it was for the purpose of taxation, and he used taxation for the purposes of corruption; he assisted the merchants as long as he could to grow rich—and they lauded him; he bought the people with their own money—and they praised him. Each succeeding day produced some new inroad on the constitution. The principle of Pitt's government was despotism; the principle of Perceval's administration was peculating bigotry or bigoted peculation. In the name of the Lord, he plundered

the people. Pious and enlightened statesman! He would take their money only for the good of their souls. The principle of the Liverpool administration is still more obvious. It has unequivocally disclosed itself in all its movements; it is simple and single—it consists in falsehood. Falsehood is the bond and link of the present ministry. Some of them pretend to be our friends; you know it is not true—they are our worse enemies for their hypocrisy. They declare that the Catholic question is no longer opposed by the cabinet—that it is left to the discretion of each individual retainer. The fact is otherwise; and their retainers, though not commanded as formerly, are carefully advised to vote against us.”

In allusion to the supposed absence of restriction on the political opinions of the ministers, Mr. Tierney termed Lord Liverpool's cabinet “a sort of Liberty Hall”—a statement which was illustrated by a poet of the day in the following squib, which O'Connell felt great pleasure in reciting:

“Send the toast around briskly, my good fellows all,
 You may fill as you like—this is Liberty Hall,
 Where he who loves comfort and glories in pelf,
 May enjoy his opinions and pint to himself.
 Here Castlereagh sits, after wasting his wind
 In telling us everything else but his mind,
 And released from his pledge to keep Ireland enslaved,
 Since he's sure of his place, thinks she ought to be saved.
 While Eldon, enjoying a full dispensation
 From everything (bless him!) that's like toleration,
 May still load the Papists with blubber and gall,
 And ne'er be worse for it in Liberty Hall.
 Here Sidmouth, of course, is permitted to trim,
 Since the habit's become second nature in him.
 Here Vansittart himself has a license ta'en out
 To go on without knowing one thing he's about.
 And, in short, if we be not too honest, we all
 May just follow our fancies in Liberty Hall.”

It is alleged that Lord Castlereagh in private society was a very amiable man; but in O'Connell's speeches, and we believe in honest historic truth, he presents the most odious and horrible appearance. He was nevertheless one of those cheerful, liveable, give-and-take persons *in private* who are so invaluable in villa life, where pleasure and repose are the object and the end. His fine head and pale impassable countenance, his expertness at small plays and unalterable good humour, his mildness of demeanour, cloudless smile, and invincible placidity, and love of music, rendered him most welcome in all the private circles he frequented in the pauses of his arduous avoca-

tions. Junius, speaking of the Scotch, makes use of a remarkable observation; he says: "I own I am not apt to confide in the professions of gentlemen of Scotland; and when they smile, I feel an involuntary emotion to guard myself against mischief." This may be inapplicable to the Scotch, but it was perfectly applicable to Castlereagh. He was one of those who, in the words of the poet, could "smile and smile, and be a villain." His political morals were generally denounced even by those for whose sake he betrayed his country—the English; while his oratory was laughed at and decried by the very class in whose interests it was exerted—the aristocracy. Hence the popularity of the political squib beginning, "Why is a pump like Viscount Castlereagh?" The answer is:

"Because it is a slender thing of *wood*
That up and down its awkward arm doth sway
And coolly spout and spout away,
In one weak, washy, everlasting flood."

Lord Byron's opinion of Castlereagh is worth quoting. He says: "That Castlereagh was an amiable man in *private* life may or may not be true; with this the public have nothing to do. As to lamenting his death, it will be time enough to do so when Ireland has ceased to mourn for his birth. As a minister, I (for one of millions) looked upon him as the most despotic in intention and the weakest in intellect that ever tyrannized over a country. It is the first time, indeed, since the Normans that England has been insulted by a minister (at least) who could not speak English, and that parliament permitted itself to be dictated to in the language of Mrs. Malaprop. . . . In his death, he was necessarily one of two things by *law*—a felon or a madman, and in either case, no great subject for panegyric. In his life he was—what all the world knows, and half of it will feel for years to come. It may, at least, serve as some consolation to the nations that their oppressors are not happy, and in some instances, judge so justly of their own actions as to anticipate the sentence of mankind." An expression which Castlereagh used in 1812 brought him within the sweep of O'Connell's animadversion. This is the manner in which the Agitator rends the perpetrator of the Union. Castlereagh had said that in 1798 there was no torture in Ireland. "Is it really possible that such an assertion was used?" exclaims O'Connell. "What! No torture? Great God! No torture! Within the walls of your city (Limerick),

was there no torture? Could not Colonel Vereker* have informed Lord Castlereagh that the lash resounded in the streets, and that the human groan assailed the wearied ear of humanity? Colonel Vereker can tell whether it be not true that in the streets of your city the servant of his relative, Mrs. Rosslewan, was not tortured—whether he was not tortured first for having expressed a single sentiment of compassion, and next because Colonel Vereker interfered for him. But there is an additional fact which is not so generally known—which perhaps Colonel Vereker himself does not know, and which I have learned from a highly respectable clergyman—that this sad victim of the system of torture was, at the time he was scourged, in an infirm state of health, that the flogging inflicted on him deprived him of all understanding, and that within a few months he died insane, without having recovered a shadow of reason. But why, out of myriads of victims, do I select a solitary instance? Because he was a native of your city, and his only offence an expression of compassion. I might tell you, did you not know it, that in Dublin there were for three weeks three permanent triangles constantly supplied with the victims of a promiscuous choice made by the army, the yeomanry, the police barracks, and the Orange lodges; that the shrieks of the tortured must have literally resounded in the state apartments of the Castle; and that, along by the gate of the Castle yard, a human being, naked, tarred, feathered—with one ear cut off, and the blood streaming from his lacerated back, has been hunted by a troop of barbarians!”

The leaders of the Catholics, in compliance with the law, had laid aside the character of delegates. In their action against Judge Downes they had been stripped of the representative character. The administration seemed to smile upon the Catholics in consequence of this compliance with the law, and conveyed assurances that they should be emancipated provided they gave “securities.” The bland duplicity of Castlereagh was perceptible in this proposition, for by “securities” he meant the *Veto*. The chief “security” which the aristocracy sought was the nomination of the Catholic bishops. This aroused the indignation of O’Connell, who saw through the fraud. “Can there be any honest man deceived by the cant and cry for securities?” he asks. “Does any man believe that there is safety in insult, oppression, and contumely; and that security is necessary against conciliation, liberality, and protection? Who is it that is idiot enough to believe that he is quite safe

* Then M.P. for Limerick.

in animosity, disunion, and dissension, and wants a protection against harmony, benevolence, and charity—that in hatred there is safety, in affection ruin—that now that we are excluded from the constitution, we may be loyal; but that if we were interested personally in its safety, we should wish to destroy it? But this is a pitiable delusion. There was a time, indeed, when sanctions and securities might have been deemed necessary—when the Catholic was treated as an enemy to God and man—when his property was the prey of legalised plunder, his religion and its ministers the objects of legalised persecution—when, in contempt and defiance of the dictates of justice and the faith of treaties, the aristocratic faction in the land turned the Protestant into an intolerant and murderous bigot, in order that it might in security plunder that very Protestant and oppress his and our common country. Poor, neglected Ireland! At that period securities might be supposed wanting; the people of Ireland—the Catholic population of Ireland—were then as brave and strong comparatively as they are at present; and the country then afforded advantages for the desultory warfare of a valiant peasantry, which fortunately have since been exploded by increasing cultivation. At the period to which I allude the Stuart family were still in existence; they possessed a strong claim to the exaggerating allegiance and unbending fidelity of the Irish people. Every right that hereditary descent could give, the royal race of Stuart possessed; in private life, too, they were endeared to the Irish, because they were, even the worst of them, gentlemen. But they had still stronger claims on the sympathy and generosity of the Irish—they had been exalted, and were fallen—they had possessed thrones, and were in poverty. All the enthusiastic sympathies of the Irish heart were roused for them, and all the powerful motives of personal interest bore in the same channel. The restoration of their rights, the triumph of their religion, the restitution of their ancient inheritances would have been the certain consequences of the success of the Stuart family in their pretensions to the throne. At the period to which I allude the Catholic clergy were bound by no oath of allegiance; to be a dignitary of the Catholic Church in Ireland was a transportable felony; and the oath of allegiance was so intermingled with religious tenets, that no clergyman or layman could possibly take it. At that period the Catholic clergy were all educated in foreign countries, under the eye of the Pope and within the inspection of the house of Stuart. Issuing from fifty-eight colleges and

convents on the Continent, the Catholic clergy repaired to meet, for the sake of their God, poverty, persecution, contumely, and not unfrequently death in their native land. They were often hunted like wild beasts, and could never claim any protection from the law. That—that was a period when securities might well have been necessary. But what was the fact? Why, that the clergy and laity of the Irish Catholics having once submitted to the new government, and plighted their unbroken faith to King William and his successors—the Irish Catholics having fought for their legitimate sovereign until he himself, and not they, fled from the strife—adopted by treaty his English successor, though not his heir, and transferred to that successor and the inheritors of his throne their allegiance. They have preserved their covenant—with all the temptations and motives to disaffection—and fulfilled their part of the social contract, even in despite of its violation by the other party. As the Catholics were faithful in those dismal and persecuting periods, when they were exasperated by the emaciating cruelty, barbarous law, and wretched policy—as they were then faithful, notwithstanding every temporal and every religious temptation and excitement to the contrary, is it in human credulity to believe my Lord Castlereagh when he asserts that securities are now necessary—now that the ill-fated house of Stuart is extinct—now that the Catholic clergy are educated in Ireland?”

The question before the legislature in those days was not whether Emancipation should be granted, but whether the petition for relief should be considered. In the year 1812, the Catholics obtained what they esteemed a great victory—that is, they were turned out. To explain this we must state that the Marquis of Wellesley proposed in the Lords, that the House should take into consideration “the state of the laws affecting his majesty’s Roman Catholic subjects in Great Britain and Ireland.” This motion was rejected by a majority of one. Such close proximity to success was regarded by the Catholics as little less than victory, and their elation could only be equalled by the deep dismay that fell upon the alarmed Orangemen. The votes in favour of the motion were 125, against it 126. If they did not win the race, at least the Catholics seemed to touch the goal. The black shadow of degradation into which they were sunk, may be measured by the sunny gladness which this gleam of success diffused over the hearts and faces of this oppressed people. This shadow will appear very gloomy if we remember that it was not liberty which the Lords seemed on the point of conceding—it was permission to lodge the

petition—leave to beg. To counteract this accident—as we believe it to have been—a howl resounded from the Orange lodges which was expected to appal the Catholics; and a cry got up in the English newspapers, which the hireling journals of Ireland re-echoed. O'Connell alluding to this said: “The pious Lord Eldon, with his conscience and his calculations, and that immaculate distributor of criminal justice, Lord Ellenborough, were in a majority of one. By what holy means think you? Why, by the aid of that which cannot be described in dignified language—by the aid of a lie—a positive, palpable lie. This manœuvre was resorted to—a scheme worthy of its authors—they had perceived the effect of the manly, dignified resolutions of the 18th June.* These resolutions had absolutely terrified our enemies, whilst they cheered those friends who had preferred the wishes and the wants of the people of Ireland to the gratification of paltry and disgraceful minions. The manœuvre—the scheme—was calculated to get rid of the effect of those resolutions—nay, to turn their force against us—and thus was the pious fraud effected. There is, you have heard, a newspaper in the permanent pay of speculation and corruption, printed in London, under the name of the *Courier*—a paper worthy of the meridian of Constantinople at its highest tide of despotism. This paper was directed to assert the receipt of a letter from Dublin declaring, I know not how many peers, sons of peers, and baronets, had retracted the resolutions of the 18th June; that those resolutions were carried by surprise, and that they had been actually rescinded at a subsequent meeting. Never did human baseness invent a more gross untruth; never did a more unfounded lie fall from the father of falsehood; never did human turpitude become the vehicle of so glaring a dereliction of truth. But the *Courier* received its pay, and it was ready to earn the wages of its prostitution. It did so; it published the foul falsehoods with the full knowledge of their falsehood; it published them in two editions—the day before and the day of the debate, at a period when inquiry was useless—when a contradiction from authority could not arrive: at that moment this base trick was played, through the intervention of that newspaper, upon the British public. Will that public go too far when they charge this impure stratagem on those whose purposes it served? Why, even in this country the administration deems it necessary to give, for the support of one miserable paper, two places—one of five and the other of eight hundred a-year—the stamp

* The *witchery* resolutions.

duty remitted, the proclamations paid for as advertisements, and a permanent bonus of one hundred pounds per annum! If the bribe here be so high, what must it be in England, where the toil is so much greater? And think you, then, the *Courier* published, unsanctioned by its paymasters, this useful lie?"

On this occasion, as on many others, O'Connell wasted his great powers in replying to the British press. The unprincipled men who wrote for the London journals were then, as they are now, mere mercenaries working for bread. The only answer which these hirelings understand must be addressed, not to the caitiffs themselves, but to the aristocracy who employ them. The press of London will never cease to lie until its managers cease to pay. The latter believe that truth is an element for which the newspaper is a substitute. The aristocracy cannot dispose of events—they cannot make rain fall, or diffuse the golden glow of summer over an ice-crowned landscape; but they can make the public believe that black is white, that day is night, and misery prosperity, which is nearly the same thing. They act upon the principle of Queen Elizabeth, who said: "If a lie is believed for three days, it serves all the purposes of truth." The loudest of their unscrupulous writers would be as silent as mummies if they were deprived of their pay. O'Connell should not have considered them worthy of his eloquent anger. He threw away his brilliant talents in replying to them. They should not be subjected to the cognizance of criticism; they should be subjected but to the cognizance of the police. Could O'Connell have devised a means of shutting up the purse of the employer, he would have immediately palsied the hand of the literary drudge. This was the opinion at least of Napoleon I., when he issued the Milan decrees against British commerce. He knew his adversaries were shopkeepers, whose sensibilities could be reached only through their shop. The Irish do not appreciate the base sordidness, the despicable meanness of the money-grubbers who rule them. The English journalists write not because they believe their own statements, but because they are paid for bearing false witness against God's truth. A very suspicious paragraph relative to the press occurs in the Irish correspondence of Sir A. Wellesley. "I am one of those," writes Sir A. Wellesley to Sir Charles Saxton, Bart., 10th April, 1809, "who think that it will be very dangerous to allow the press in Ireland to take care of itself, particularly as it has so long been in leading-strings. I would therefore recommend that in proportion as you will diminish the profits of the better

kinds of newspapers, such as the *Correspondent* and the *Freeman's Journal*,* and some others of that class, on account of proclamations, you should increase the sum they are allowed to charge on account of advertisements and *other publications*. It is absolutely necessary, however, to keep the charge within the sum of £10,000 per annum."

When he wrote this letter, Sir Arthur Wellesley was about to quit Ireland, and join what the poet terms

"The well-bred c—k—lds of St. James's air;"†

and he scrupulously discharges his conscience by instructing his successors in the mystery of deluding and cheating the Irish by means of their newspapers. In the same volume we find additional proof that the aristocracy and their tail find it necessary to suborn the press in order to oppress the people. J. Pollock of Navan, writing on 12th January, 1809, to Sir Arthur Wellesley, says: "If you have Walter Cox, who keeps a small book-shop in Anglesea-street, he can let you into the whole object of sending this book‡ to Ireland at this time; and further, if you have not Cox, believe me no sum of money at all within reason would be amiss in rivetting him to government. I have spoken of this man before to Sir Edward Littlehales and to Sir Charles Saxton. He is the most able and, if not secured, by far the most formidable man that I know of in Ireland. The talk we have had about Catholic Emancipation," continues Mr. Pollock, "is wholly, with the great body of the Catholics, a cloak to cover their real object. Their real objects are political power, the Church estates, and the Protestant property in Ireland."

Before they employed the sunshine of favour, the government determined to try the storm of persecution on Walter Cox. He was, in 1811, prosecuted by the aristocracy and defended by Daniel O'Connell. "My lords," said O'Connell, addressing the judges in mitigation of punishment, "I am compelled to entreat your attention to a few observations by the particular request of my unfortunate client. My lords, attempts have been made to blacken my client's character by describing him as a systematic and common libeller. I trust that such insinuations will have no weight with this court, or diminish the claim of my client to its mercy. It is of course the present duty of the court to dismiss from their minds every other

* *The Freeman* at that time was the property of P. W. Harvey, Esq.

† Pope's "Moral Essays."

‡ The book was entitled "Fiecces of Irish History," by William James Mc'Nevin, New York.

blameable publication, and confine their attention to that immediately before them. This publication is written in a manner which must greatly circumscribe the range of its mischief—absurd and unintelligible, extremely vulgar, but extremely obscure; level to the language of the common people by its expression, but entirely hid from their understandings by its incongruity. Thus it is unintelligible to those on whom the mischief could operate, and it carries its own antidote to those who have the ingenuity to extricate meaning from the mass of absurdity. My lords, as to punishment by considerable fine—strictly speaking, punishment of any kind cannot affect him in a pecuniary way. His poverty protects him. Punishment by fine in his case cannot operate against income, but may against industry. It cannot reduce competence to poverty, but may reduce poverty to want. His family are fed by his labour; exclude him by imprisonment from the opportunities of labour, and you will punish the children for the crime of the father, and decree that the innocent shall suffer for the guilty. I shall not any longer detain your lordships' attention. I commit my client to the clemency of the court, in the confident hope that you will feel it to be your constitutional duty not to punish incidental licentiousness so much as to preserve the exercise of a free press."

Notwithstanding the speech of O'Connell, Cox was found guilty on two indictments, and sentenced alike to stand in the pillory and languish in a jail—punishments which added to his popularity, and rendered the circulation of his magazine more extensive than before.

A subject alluded to in a speech of O'Connell's which we have already quoted—the "securities"—received new light from an incident which took place at an aggregate meeting of the Catholics in 1812. At this meeting Chevalier M'Carthy appeared. This man, whose education was entirely foreign—a comparative stranger in Ireland—allowed himself to be used by the Catholic aristocracy for the most insidious purposes. He wanted to elicit from the Catholics something like a vote of confidence in Lord Liverpool's administration. His attempt drew out Counsellor O'Gorman, who assailed the administration in language which deserves perusal. "It is an administration," said O'Gorman, "formed on the principle of Catholic exclusion. The prime minister is the avowed and inveterate foe of the Catholics. The majority of the cabinet consist of bitter enemies; the remaining part of it disavowing us and disclaiming our Emancipation, even fettered and re-

stricted as they would give it. They have been for seven years past talking of those 'fences,' 'guards,' 'vetoes,' 'restrictions,' and as they now call them 'hitches;' and they have not as yet told us what they want or what we are to do. They have not agreed on this yet among themselves, and they call on us to anticipate by our offers the result of their own discordant counsels. And to those men you are called on to humiliate yourselves. You are called on to sacrifice your consistency to the indecisive votes of a House of Commons who would at one moment declare a ministry vicious and incapable, and at the next moment establish them in power by a vote of confidence. Are we, for such votes as these, to barter our rights and betray our principles—those principles which sustained us in times of the severest calamity. Let me, my countrymen, recall to your recollection the sufferings and privations of our oppressed ancestors, and the heroism and constancy with which those persecuted Irishmen endured them. Remember the accursed code that bowed them to the earth. Behold them reduced to the condition of exiles in their native land—hunted like wild beasts, without the common protection or countenance of the negro slaves; their religion proscribed—the heaviest penalties inflicted on the exercise of it; the rights of Christianity denied them; the service of heaven and of our common God heard by stealth in the open air under the inclemency of the weather—often under the shelter of the ditch-side, when the sequestered glen and desert hedge formed our only chapel. Yet in this state of debasement and humiliation—if anything could humble such beings—our ancestors never offered or received degrading terms. They clung to their religion as their best consolation in this world—their only stay and hope in the next. They never forfeited their honour." Chevalier M'Carthy was baffled.

The administration of Lord Liverpool was not only assailed by the orators—the wits likewise assailed it. The following squib, which went the round of the papers in 1812, entitled, "What is my thought like?" acquired considerable celebrity:

"My thought is a night-cap; and now by what rule
Is a night-cap, I pray you, like Lord Liverpool?
Because it is still—be it white, red, or brown—
A somniferous thing—much attached to the crown.

The bold spirit which the lawyers infused into the Catholic Board was evinced by the fact, that on 7th July, 1812, the members declared their sittings permanent. They declared that they should meet during the long vacations twice a month,

and exercise a vigilant attention as to the affairs of the Catholics until November, when they contemplated calling an aggregate meeting. The Catholic aristocracy were dissatisfied with this vigilance, the advantages of which they could not see—especially at a period when the legislature had liberally conceded the principle of their question, and all the signs of the times, the lights on the horizon, appeared to foreshow the approaching dawn of Catholic freedom. O'Connell replied, that he sincerely rejoiced the legislature had sanctioned the justice and policy of conceding their claims. But the legislature was not the administration, and upon the administration of Ireland the decision alluded to did not appear to have the slightest influence. The Orange lodges were at work, and the tone adopted by the ministerial press was full of menace. The *Morning Post* and *Courier*, under the evident instruction of the ministry, were labouring to raise a cry against the Catholics, which the heartless and despicable slaves who had sold themselves to the aristocracy in this country were ready to re-echo.

O'Connell, by his assiduous labours—first in the Catholic Committee; secondly, in the Catholic Board—was laying the foundation, and, indeed, building the superstructure of that world-wide renown which he subsequently enjoyed, but which, like all earthly advantages, afforded less pleasure when possessed than when pursued. “I have been sometimes amused at the whimsical mode in which the popular devotion to him manifested itself,” says his secretary. “He lived in the hearts of old and young. Ascending the mountain road between Dublin and Glencullen, in company with an English friend, O'Connell was met by a funeral. The mourners soon recognised him, and immediately broke into a vociferous hurrah for their political favourite, much to the astonishment of the Sassanach, who, accustomed to the solemn and lugubrious decorum of English funerals, was not prepared for an outburst of Celtic enthusiasm on such an occasion. A remark being made on the oddity of a political hurrah at a funeral, it was replied that the corpse would have cheered lustily too—if he could!”

When something was said by O'Connell's secretary of his posthumous fame—“Alas! alas!” he answered, in a tone of great solemnity, “and of what use will future fame be to me when I am dead and judged?”

“Yet,” said the secretary, “I think you certainly indulge in the expectation of fame. Have you not often said both

publicly, and to myself in private, that your deeds are making part of history?"

"I spoke of it," said O'Connell, "as the fact—not as desiring fame. If I know myself at all, I really do think I never did any one action with a view to fame."

"I daresay that in no one action you had fame *exclusively* in view. I firmly believe in your honest desire to advance the public good; but I think you appreciate very highly the approving opinions of your countrymen."

"Aye," said O'Connell, "those amongst whom I live and act; but I do most potently feel the utter worthlessness of all posthumous applause. Little will we care for it when we are like those who lie *there* (he was passing a churchyard). See what a populous graveyard that is! We ought to repeat a petition for the souls of those whose bodies are interred there; yet a little, and we shall need the like charity ourselves!"

Passing from Killarney to Millstreet, O'Connell pointed out the farm of Lisnababie. "I may say with honest pride," said O'Connell, "that I was a good help to keep that farm in the hands of its rightful owner, Lalor of Killarney. I was yet young at the bar, when Jerry Connor (the attorney concerned for Lalor) gave me two ten-guinea fees in the Lisnababie case. Lalor remonstrated with Connor, stating that the latter had no right to pay so expensive a compliment out of his money to so young a barrister. This was at a very early period of the cause, which was tried in Dublin before Sir Michael Smith. But a motion being made in court to dismiss Lalor's bill, I rose and combated it so successfully that Sir Michael Smith particularly complimented me; and Lalor wrote to Jerry Connor, saying that I gave him the full worth of his money, and desiring (what indeed was a matter of course) that I should be retained for the assizes. We were finally successful, and I had the chief share in the triumph."

Passing by a gravel pit, O'Connell said: "That is the very spot where Brennan the robber was killed. Jerry Connor was going from Dublin to Kerry, and was attacked by Brennan at that spot. Brennan presented his pistol, crying, 'Stand!' 'Hold!' cried Jerry Connor. 'Don't fire—here's my purse.' The robber, thrown off his guard by these words, lowered his weapon, and Jerry, instead of a purse, drew a pistol from his pocket—and shot Brennan in the chest. Brennan's back was supported at the time against the ditch, so he did not fall. He took deliberate aim at Jerry, but feeling himself mortally wounded, dropped his pistol, crawled over the ditch, and

slowly walked along, keeping parallel with the road. He then crept over another ditch, under which he was found dead the next morning."

"At a part of the road between Kildare and Rathcoole," continues O'Neill Daunt, "O'Connell pointed out the place where Leonard MacNally, son to the barrister of the same name, alleged he had been robbed of a large sum. To indemnify himself for his alleged loss, he tried to levy the money off the county. 'A pair of greater rogues than father and son never lived,' said O'Connell; 'and the father was busily endeavouring to impress upon every person he knew a belief that his son had been really robbed. Among others, he accosted Parsons, then M.P. for the King's county, in the hall of the Four Courts. 'Parsons! Parsons, my dear fellow!' said old Leonard, 'did you hear of my son's robbery?' 'No,' answered Parsons quietly, 'I did not—whom did he rob?'"

O'Neill Daunt mentioned a conservative barrister named Collis, who, in 1800, had written an anti-Union pamphlet predicting the ruin of the country from that measure, and who lived long enough to see his predictions verified:

"Ah! I knew Collis too," said O'Connell; "he was a clever fellow. He had talent enough to have made a figure at the bar, if it had not been for the indolence induced by his comfortable prosperity. His wife was a Miss Rashleigh,* an uncommonly beautiful woman. He and I went circuit together. Going down to the Munster circuit by the Tullamore boat, we amused ourselves on deck firing pistols at the elms along the canal. There was a small party of soldiers on board, and one of them authoritatively desired us to stop firing. 'Ah! corporal, don't be so cruel,' said Collis, still firing away. 'Are you a corporal?' asked I. He surlily replied in the affirmative. 'You must have got yourself reduced to the ranks by misconduct, for I don't see the V's on your sleeve.' This raised a laugh at his expense, and he slunk off to the stern quite chap-fallen."

Among O'Connell's fellow-labourers in the Catholic Board Counsellor O'Gorman was not the least remarkable. "O'Gorman," said O'Connell, "previously to Emancipation, was one of the most violent out-and-out partisans of the Catholic party. He often declared that I did not go far enough. We were once standing together in the inn at Ennis, and I took up a prayer-book which lay in the window and said, kissing it: 'By virtue of this book, I will not take place or office from the

* On the occasion of this marriage the punsters said, that "Collis had been a long time thinking of marrying—and at last married *rashly*."

government until Emancipation is carried. Now O'Gorman, my man, will you do as much?" O'Gorman put the book to his lips, but immediately put it away, saying: "I won't swear; I need not. My word is as good as my oath. I am sure of my own fidelity!" When Chief Baron O'Grady heard this story he remarked, "They were both quite right. Government has nothing worth O'Connell's while to take until Emancipation be carried; but anything at all would be good enough for O'Gorman."

Some one having remarked to O'Grady that Lord Castle-reagh, by his ministerial management, had made a great character for himself. "Has he?" said O'Grady. "Faith, if he has he's just the boy to spend it like a gentleman."

"O'Grady," continued O'Connell, "was at one time annoyed by the disorderly noise in the court-house of Tralee. He bore it quietly for some time, expecting that Denny (the high sheriff) would interfere to restore order. Finding, however, that Denny, who was reading in his box, took no notice of the riot, O'Grady, who was presiding judge, rose from the bench and called out to the studious high sheriff: 'Mr. Denny, I have just got up to hint that I am afraid the noise in court will prevent you from reading your novel in quiet.'"

"After O'Grady had retired from the bench some person, one day, placed a large stuffed owl on the sofa beside him. The bird was of enormous size, and had been brought as a great curiosity from the tropics. O'Grady gaped at the owl for a moment, seemed lost in wonder for a few seconds, and then said, with a gesture of peevish impatience, waving his hand rapidly and averting his head: 'Take away that fowl! take away that fowl! Take it away—take it away! If you don't, I shall fancy I am seated again on the bench beside Baron Foster!'"

Those who have seen Baron Foster on the bench can best appreciate the felicitous resemblance traced by his venerable brother judge between his lordship and an old stuffed owl.

"I remember," continued O'Connell, "a witness who was called on to give evidence to the excellent character borne by a man whom O'Grady was trying on a charge of cow-stealing. The witness got on the table with the confident air of a fellow who had a right good opinion of himself. He played a small trick, too, that amused me. He had but *one* glove, which he used sometimes to put on his right hand, keeping the left in his pocket—and this with the apparent view of impressing on the court that he was the happy owner of a complete

pair of gloves. 'Well,' said O'Grady to this genius, 'do you know the prisoner at the bar?' 'I do, right well, my lord.' 'And what is his general character?' 'As honest, decent, well-conducted a man, my lord, as any in Ireland, which all the neighbours knows—only—only there was something about stealing a cow.' 'The very thing the prisoner is accused of,' cried O'Grady, interrupting the 'witness to character.'"

The preceding incident is not without its value, as it evinces the shrewd observation, the keen perspicacity which O'Connell possessed: nothing escaped him. The witness to whom he alludes failed, we may observe, in two things. He failed in convincing the lawyers that a single glove was a pair—they saw he had but one; he failed in convincing the judge that the prisoner was an honest man—he saw he was a cow-stealer. The witness thus perpetrated a double blunder.

The secret of O'Connell's action lay in his exuberant ability. He was so redolent of power, so full of talent, so pregnant and overflowing with mental energy—bounding, as it were, with mental life—that he could not restrain himself. He desired toil, thirsted for exertion, and longed for arduous labour commensurate with his gigantic powers; and he found ample material—"verge and room" enough in the horrible condition of unhappy Ireland. Ireland resembled the Augean stable, and he resembled the Hercules who cleaned it. An impulse of power as well as of conscience urged him forward in spite of himself—swept him along and made him an orator and an agitator whether he would or not. He resembled a young, powerful, and unrestrainable horse, that lifts its head, tosses its mane, and careers sweepingly over the plain—not from necessity but from the exuberance of its animal vigour. He plunged joyously and almost involuntarily into the war that was going on for Catholic rights, owing to the gushing and irresistible force which welled within him. He was not his own master in the presence of such a strife. On the dangerous verge of that constitutional battle he could not abstain from rushing in, and exercising and exhibiting the genius which possessed and would not let him repose.

O'Connell possessed a power which some of the greatest orators have been wanting in—that of impromptu oratory. He meditated his matter, arranged his arguments beforehand in his mind, but trusted to the excitement of the moment for the language and the tone. The oratory of O'Connell has been compared to that of Mirabeau; but in one respect the Irish far surpassed the French tribune. Mirabeau possessed little

power as a debater—in the English meaning of the word ; whereas, it was in answering to evidence that O'Connell displayed his superiority. Mirabeau, it is alleged, carefully prepared the bursts of eloquence with which he occasionally electrified the assembly, and whenever he had a formal statement or argument to deliver, he read from a paper, like his brother deputies. The discourses of Chateaubriand were read, not spoken—a circumstance which shows that the most brilliant men in the most brilliant of continental nations may be inferior to an Irishman. Lord Brougham has acknowledged that the peroration of his principal speech on the queen's trial was penned seven times over ; and no one who heard Mr. Canning's opening speech on the Portuguese affairs, in 1826, or his defence of Mr. Huskisson's commercial policy, could doubt that he was indebted to his memory. Such *reciters* are never thoroughly popular—are never in perfect harmony with their audience, as O'Connell always was. The god of the Pythoness, who agitates its victim and makes him utter inspirations in his own despite, is never felt by reciters. The reciter is the man of yesterday—he recalls the past ; whilst the orator should be the man of the moment, and extemporize the present. This is precisely what O'Connell did. Hence, a French writer says of him : “ Eloquence has not all its influence—its strong, sympathetic, stirring influence—except on the people. Look at O'Connell—the greatest, perhaps the only orator of modern times. What a Colossus ! How he draws himself up to his full height ! How his voice sways and governs the waves of the multitude ! I am not an Irishman ; I have never seen O'Connell ; I do not know his language ; I should not understand were I to listen to him. Why, then, am I more moved by his discourses—badly translated, discoloured, maimed, stripped of the allurements of style, gesture, and voice—than by all those heard in my own country ? It is because they bear no resemblance to our rhetoric, which is disfigured by paraphrase ; because passion, true passion, inspires him—the passion which can say everything. It is because he tears me from the ground, rolls and drags me into his torrent—that he trembles, and I tremble—that he kindles, and I feel myself burning—that he weeps, and tears fill my eyes—that his soul utters cries, which ravish mine—that he carries me off upon his wings, and sustains me in the hallowed transports of liberty. Under the impression of his mighty eloquence, I abhor and detest with a furious hatred the tyrants of that unfortunate country, as if I were the countryman of

O'Connell ; and I take to loving *la Verte Isle* as much as if it was my own country."*

O'Connell's eloquence did not consist in the dexterous structure of periods, the grace of action, or the powers of delivery : it did not resemble a beautiful body adorned with symmetry, but destitute of vigour. In the most imperfect relics of O'Connell's speeches, the bones of a giant are to be discovered. He excelled in clear and forcible argument, in ready and dexterous reply, and in bold and defiant denunciations of tyranny. His invective was frequently powerful : it sometimes, however, degenerated into commonplace personal vituperation.

The following is one of the best *morceaux* of O'Connell's eloquence as regards beauty of sentiment and felicity of expression. He had been speaking of the penal code :

" Your priesthood were hunted and put to death ; yet your hierarchy has remained unbroken—a noble monument of your faith and your piety. The traveller who wanders over eastern deserts beholds the majestic temples of Balbec or Palmyra, which rear their proud columns to heaven in the midst of solitude and desolation. Such is the Church of Ireland. In the midst of our political desolation a sacred Palmyra has ever remained to us. It is true, our altars have been broken down, and the gold and silver have been taken away ; the temple has been desecrated, and its sacred tenants scared or forced to fly. But the moral Palmyra still stands in the midst of the desert. Its columns of eternal truth still tower to the clouds. The Church of the people of Ireland has survived the wreck of time ; the hierarchy exists in the plenitude of its integrity—a glorious monument of the religious fidelity and steady faith of the Catholics of Ireland."

The peroration of the speech which O'Connell delivered on the 24th July, 1812, is likewise a masterpiece : " Britain," he said, " has been often conquered—the Romans conquered her—the Saxons conquered her—the Normans conquered her—in short, whenever she was invaded she was conquered. But our country was never subdued—we never lost our liberties in battle, nor did we ever submit to armed conquerors. It is true, the old inhabitants lost their country in piece-meal by fraud and treachery. They relied upon the faith of men who never, never observed a treaty, until a new and mixed race has sprung up in dissension and discord. But the Irish heart and soul still predominate and pervade the sons of the oppressors themselves. The generosity, the native bravery, the innate

* "*Etudes sur les Orateurs Parlementaires*," Par Timon, Paris, 1839.

fidelity, the enthusiastic love of whatever is great and noble—those splendid characteristics of the Irish mind remain as the imperishable relics of our country's former greatness—of that illustrious period when she was the light and the glory of barbarous Europe, when the nations around sought for instruction and example in her numerous seminaries, and when the civilization and religion of all Europe were preserved in her alone. You will, my friends, defend her. You may die, but you cannot yield to any foreign invader. Whatever be my fate, I shall be happy while I live in reviving amongst you the love and admiration of your native land, and in calling upon Irishmen—no matter how they may worship their common God—to sacrifice every contemptible prejudice on the altar of their common country. For myself, I shall conclude by expressing the sentiment that throbs in my heart—I shall express it in the language of a young bard of Erin*—my beloved friend, whose muse has the music of the ancient native minstrelsy:

‘Still shalt thou be my midnight dream—
Thy glory still my waking theme;
And every thought and wish of mine,
Unconquered Erin, shall be thine.’”

There is nothing in the character of O'Connell more pleasing than his candid appreciation of mental or poetical power. He often pauses in the torrent of his oratory to turn aside and pay a tribute at the shrine of intellectual ability. The indignant scorn with which he occasionally flouted the hollow aristocracy of title, is only equalled by the honest respect which he tenders to the genuine aristocracy of talent. We have seen in page 128 how eulogistically he spoke of Cobbett in public. His private opinion of that able politician we gather from the writings of O'Neill Daunt. It was highly complimentary—he said: “Cobbett's mind had not an extensive grasp, but what it could lay hold on, it grasped with iron force. He was honest; he never saw more than one side of a subject at a time, and he honestly stated his impression of the side he saw.” O'Connell's praise was called forth in the former instance by an article in the famous “Register.” In describing the festival of St. Patrick, which the Irish in London celebrated on the 17th of March, 1812, Cobbett said: “In the account of what passed at the dinner, the *Morning Chronicle* hath these words: ‘The noble chairman gave the health of the king, which was drunk with enthusiastic and rapturous applause. And then the noble chairman gave the health of the

* Charles Phillips, Esq.

prince regent, which was drunk with partial applause and loud and reiterated hisses.' This is a new era, indeed," observes Cobbett. "At the meeting where these hisses are said to have been heard, there used formerly to be, at the mention of the prince's name, such shouts of applause that a stranger to the cause might have well supposed the company mad. Indeed it was disgusting to read, in this same *Morning Chronicle*, the plastered-on praises which, at these festivals, used to be bestowed on the prince. It was quite loathsome to hear such more than parasitical applause. There is, however, now a change. The new era has done this for us at any rate—it has relieved us from the beholding of some of the most base and nauseous adulation that ever was witnessed in the world. But the hisses—not only the absence of applause, but actual, audible hisses at the health of the prince being drunk—this could not pass unnoticed by Richard Brinsley Sheridan, he being present and having, it seems, resolved to stick by the prince. . . . The hisses at the name of the prince forbade Mr. Sheridan to remain silent; and, it is stated, that when his health was drunk, he rose and made a speech of which the following is an account: 'Mr. Sheridan at length arose and, in a low tone of voice, returned thanks for the honourable notice by which so large a body of his countrymen thought proper to distinguish him (applause). He had ever been proud of Ireland, and hoped that his country might never have cause to be ashamed of him. Ireland never forgot those who did all they could do, however little that might be, in behalf of her best interests. . . . He confessed frankly that knowing as he did the unaltered and unalterable sentiments of an illustrious personage towards Ireland, he could not conceal from the meeting that he felt considerably shocked at the sulky coldness and surly discontent with which they had, on that evening, drunk the health of the prince regent (disapprobation). When silence was somewhat restored, Mr. Sheridan said, that he knew the prince regent well (hisses)—he knew his principles (hisses)—they would at least give him credit for believing that he knew them when he said he did (applause). He repeated that he knew well the sentiments of the prince; and so well satisfied was he that they were all that Ireland could wish, that he (Mr. Sheridan) hoped, that as he had lived up to them, so he might die in the principles of the prince regent (hisses and applause). He should be sorry personally to have merited their disapprobation (cries of "change the subject!" and "speak out!").

He could only assure them that the prince remained unchangeably true to those principles (here the clamours became so general that the speaker became inaudible). 'Oh, poor Sheridan!' continues Cobbett; "hissed down by his own countrymen—hooted down by those very persons who formerly heard him with such raptures. Here *he* ends, then—or if not, what is he reserved for? What is to be his fate? What are we to see him do before he dies? Perhaps there is not, in the history of man, so complete an instance of sinking as we have here before us. There was a time when Mr. Sheridan was not only looked upon, but was *second* to no man in England in point of talent. If I look through the proceedings in parliament from 1785 to 1796, I find him the most active, the most powerful, the most efficient opposer of Pitt and his band. I find all his motions well framed and well timed; all his speeches eloquent—and not only eloquent, but full of information, full of fact, of argument, and discovering a deep insight into all the subjects, however complicated, upon which he touched. In short, I see in every page the orator, the scholar, the philosopher, the statesman, and to crown all—the friend of freedom. And what in the same man do I see now? An underling of the Jenkinsons and the Percivals!"

Moore has attempted, with reference to some occurrences of the year 1812, to defend the conduct of Sheridan. He says: "The main motive of the whole proceeding is to be found in his devoted deference to what he knew to be the wishes and feelings of that personage who had become now, more than ever, the mainspring of all his movements—whose spell over him, in this instance, was too strong for even his sense of character; and to whom he might well have applied the words of one of his own beautiful songs:

' Friends, fortune, fame itself I'd lose
To gain one smile from thee.'

So fatal, too often, are royal friendships, whose attraction—like the loadstone in eastern fable that drew the nails out of the luckless ships that came near it—steals gradually away the strength by which character is held together, till at last it loosens at all points, and falls to pieces—a wreck. . . . The transaction in 1812, relative to the royal household, was, as I have already stated; the least defensible part of Sheridan's public life. But it should be recollected how broken he was, both in mind and body, at that period. His resources from the theatre at an end—the shelter of parliament about to be

taken from over his head also, and old age and sickness coming on as every hope and comfort vanished; and, that even character itself should, in a too zealous moment, have been one of the sacrifices offered up at the shrine that protected him, is a subject more of deep regret than of wonder. The poet Cowley, in speaking of the unproductiveness of those pursuits connected with wit and fancy, says beautifully,

‘Where such fairies could have danced, no grass will ever grow.’

But unfortunately thorns will grow there; and he who walks unsteadily among such thorns as now beset the once enchanted path of Sheridan, ought not, after all, to be very severely criticised.”*

Among the last sentences uttered by Sheridan in the House were the following: “My objection to the present ministry is, that they are avowedly arrayed and embodied against a principle—that of concession to the Catholics of Ireland—which I think, and must always think, essential to the safety of this empire. I will never give my vote to any administration that opposes the question of Catholic Emancipation. I will not consent to receive a furlough upon that particular question, even though a ministry were carrying every other that I wished. In fine, I think the situation of Ireland a paramount consideration. If they were to be the last words I should ever utter in this House, I should say: ‘Be just to Ireland, as you value your own honour—be just to Ireland, as you value your own peace.’”

“The reporters,” says a French *émigré* who resided in England in 1812—“the reporters are persons employed by the editors of newspapers to take notes of the principal speeches in parliament. They were seated behind me in the gallery,” he adds, “and I took advantage of the opportunity to observe their mode of proceeding. Far from setting down all that is said, they only take notes to appearance very carelessly—one word in a hundred—to mark the leading points. It is difficult to understand how they can afterwards give the connected speeches we see in the newspapers out of such slender materials, and with so little time to prepare them; speeches of the night, spoken perhaps at two or three o’clock in the morning or later, being served up to the luxurious inhabitants of the capital at their breakfast the same morning. What a life! One of these reporters named Woodfall, who is dead, was able, without notes and entirely from memory, to write on his return

* “Memoirs of Richard Brinsley Sheridan,” by Thomas Moore.

from the House all that had been said worth repeating. They are crowded in the gallery with the rest of the people, writing on their knees in a constrained attitude, laughing and whispering jokes among themselves about the solemn business going forward below, and often praying that such-and-such tiresome speakers may soon have done, and sit down again."

It has been alleged by physiologists that were we gifted with transparent bodies—could we see into our frames, we should observe processes going on simultaneously in our economy which would not only startle but terrify us—the labour of the stomach, the operations of the intestines, the action of the heart, the pulsations of the arteries, and the suction of the hungry vessels which carry in incessant streams of blood and humours health or disease, vigour or death, to the various organs and members of the body. This melancholy privilege of witnessing the various disasters of the body-politic is conferred by the press on the people of Ireland: we can distinctly see the crow-bar brigade dismantling the homestead and desolating the rural hamlet, and troops of sturdy emigrants, melancholy and slow, toiling to the seaports, or crawling up the side of the merchantman, which unfurls its sails and takes the wind for the antipodes; we can see, too, the ragged peasants of the remoter districts cowering in their squalid cabins, and resigning themselves to inevitable death by starvation; or the more destitute beggars dropping dead of hunger, and strewing the wilderness with their withered remains. We can see the streets of our cities swarming with want. We can see hundreds of emaciated men standing in groups at every corner, and staring at every stranger of the richer class with the vacant earnestness of famine—with starvation and despair in their countenances, and with their arms hanging in listlessness at their sides. We can see into the recesses of internal wretchedness through the ever open doors, where their wives and children are huddled together with scarcely a shred of raiment upon their discoloured and emaciated limbs. This melancholy advantage the freedom of the press confers on us. We can observe at once the seat as well as the cause of the disorder—every derangement is observed immediately, but the hand unfortunately cannot reach the gangrene which the eye discerns, nor the knife remove and cleanse the source of disease. The nations of the Continent, in which the freedom of the press is unknown, but in which the working classes are landowners, may suffer various calamities; but their eyes are not grieved—their hearts are not harrowed by contemplating in all its horrors disaster

which they cannot remedy. Hence it would really appear that to a subjugated people who have no hold of the soil, the freedom of the press is rather an evil than a good. It is, as some one has said, the only plague which Moses forgot to inflict on Egypt. Such is the case where the advantages and fruits of nature and man are poisoned by the breath of subjugation. To a free people a free press is a source of benefits. But it may so happen that the generous tree which is crowned with rosy blossoms and teems with wholesome fruit in the open air, may droop in withered barrenness when planted within the walls of a prison. None but a free people, who enjoy the power of removing the evils their brethren suffer as well as of knowing their existence, can utilise the press or reap its advantages. To all others it serves, too frequently, as the instrument of hate and dissension rather than of prosperity and freedom. It did so, even in England, during the Walcheren expedition (1809), which was a horrible muddle of mismanagement, disaster, incompetence, and bloodshed, in which the lives of English troops were sacrificed in the most wanton and appalling manner by the stupidity of the aristocracy. It resembled the first year of the Crimean war. The ruling classes were filled with consternation when it was proposed in the House of Commons to inquire into these horrible scandals which could not bear the light. To shut out from their blunders the light which the press might fling upon them, one of the ministers determined to get rid of the reporters by enforcing the standing orders of the House, and clearing the gallery of strangers. With the view of frustrating the minister's purpose, Richard Brinsley Sheridan moved an amendment of the standing orders, so as to make it necessary to have a decision of the House before the reporters could be excluded. During the debate which ensued, Mr. Windham asserted that the presence of the reporters could not be very important to the national liberties, as the custom of reporting parliamentary debates commenced only twenty-five or thirty years previously! Not content with disparaging their art, Mr. Windham assailed the personal character of the reporters. He said they were a gang of bankrupts, footmen out of place, and needy adventurers. He subsequently received from one of them an excellent letter showing, in strong but temperate language, the injustice and illiberality of this personal attack. Mr. Windham did not disdain justifying himself by an answer worthy of his talents and character, and ended by an offer—waiving privilege—of that sort of satisfaction which one gentleman owes to another.

A certain body of lawyers (benchers of Lincoln's Inn), in order to show their zeal against what they termed "the unbridled license of the press," had during these debates passed a resolution, by which any person convicted of having ever written for the newspapers for hire should be excluded from their body. The persons thus expelled presented a petition to parliament praying relief. This gave rise to debates, in the course of which Richard Brinsley Sheridan said that he was ready to produce a long list of men eminent not only in the law and other professions, but in some instances eminent in parliament, who had begun their career as writers for the newspapers. He named Mr. Edmund Burke and several others; and he added, that of twenty-three gentlemen then employed in taking notes in the gallery of the House, eighteen had to his own knowledge been educated in the universities; most of them had graduated, and several of them had obtained premiums and other literary distinctions. He recalled the well-known anecdote of the celebrated Dr. Johnson: two admired speeches of Lord Chatham having been compared to those of Cicero and Demosthenes, Johnson was asked which of the two manners, the Greek or the Roman, these speeches resembled most. "I do not know," he answered; "but this I can say—I reported them both." Would it then have been disgraceful to the benchers to have received Johnson among them?

Not content to exclude the reporters from the bar, they prohibited barristers from acting as reporters. An Irish lawyer, named Verner Moore, had reported a trial and published it in the papers. He was summoned before the benchers and visited with the severest censure. They even ordered that their vote of censure should be publicly read in all the law courts. On this subject the Irish bar held a public meeting at which O'Connell spoke. He said, speaking of the benchers: "It was very important first to consider the necessity of this species of tribunal before any discussion arose as to the legality of its jurisdiction; because if it could be shown to him that such a jurisdiction was necessary for either the honour of the judges or the convenience of the suitors, he should not be very scrupulous in investigating its origin or the foundation of its authority. But being deeply impressed with the conviction, that the contrary was the fact—that this tribunal was unnecessary—that, of itself, and placed in the hands of the best of men, it was unconstitutional and dangerous—that its immediate effect must be to crush the spirit and independence of the bar, and to convert an honourable and liberal

profession into mere retailers of chicane, and servile slaves of authority. With this impression upon his mind, he must solemnly protest against every exercise of power by this tribunal—even against a guilty individual, and conjure the bar at once to ascertain their rights, and to trace the limits of this jurisdiction—so that it may be either ascertained to be a mere usurpation, or, if it have a legal existence, that parliament may be resorted to for its abolition. For his part, he had given the subject all the attention in his power; he had investigated all the sources of information on this subject, and he had convinced himself that the benchers of the King's Inns had no legitimate authority over the Irish bar. As a legal or corporate body it was clear, upon their own confession, that they had no existence. In the late case which they had instituted in chancery against a Mr. Caldbeck, an objection was taken to their legal capacity to sue. To this objection they had submitted, and their incapacity to exercise corporate functions was therefore matter of record. Prescriptive rights they could claim none. Their history was modern and well known. Charter they had at present none; about sixteen years ago they obtained one, with an act of parliament to confirm it; but this act, which had passed *sub silentio*, having been discovered, the bar remonstrated, and in the ensuing sessions the statute and charter were repealed. Such was the short history of this formidable tribunal—it had no chartered rights, no powers by statute, no claim to prescriptive authority. It was, indeed, mentioned in two or more statutes, but merely to qualify it to take land for the purposes of buildings—statutes that, so far from admitting its general corporate capacity, were direct evidence that none such was in existence. There were, indeed, four instances of interference by the benchers with the bar—four instances in which men had been struck out of the barristers' roll upon their recommendation. In the two first, the cases of School and Brody, the profession had been disgraced by the commission of the crime, he believed, of perjury. The indignant Irish bar rejoiced at the expulsion of such men, and cared little by whom they were kicked out of the hall. The other two instances were those of Messrs. Arthur O'Connor and Thomas Addis Emmet. Those gentlemen had, in the year 1799, been, upon a similar recommendation, disbarred. But it should be recollected that they first stood convicted, upon their own confession, of being traitors—that they had forfeited their lives to the laws, and had actually, upon an agreement with government, submitted

to perpetual banishment. When he spoke of the crimes of those gentlemen, he could not but express the regret he felt at mentioning the name of one them, with whom he had once the pleasure to be personally acquainted. Whatever might have been the political crimes of Mr. Emmet, those who knew him were bound to say, that a more worthy gentleman in private life never lived. But having abjured the realm, the benchers exercised the superfluous loyalty of getting them excluded from the list of Irish barristers. No person was interested to inquire into the authority by which so immaterial a result had been produced. Such are the precedents—the only precedents—that can be alleged. What do they prove? Just nothing. But perhaps I am mistaken; perhaps this jurisdiction does exist. You may not be willing, and you ought not to submit to act upon my researches; yet I hope I have said enough to convince you that an inquiry ought to be instituted, and that every man at the Irish bar may know upon what footing the preservation of his professional property and personal honour stands. This inquiry should be conducted in the most respectful manner; no offence will be taken where none is intended. We would be bound to make the inquiry at every risk; but, in truth, the benchers themselves are ready to concede much to the general feeling of the bar. To this feeling they have already sacrificed the resolution to publish their censure of Mr. Moore. If the bar declares its conviction that no such inquisitorial authority does in point of law, and that none such in point of fact, ought to exist, we shall never again hear of the cause of our present alarm.”

“Mr. O’Connell moved, ‘That a committee, consisting of three of the gentlemen of the bar, be appointed to ascertain the authority of the benchers either to censure or disbar a barrister.’”

The remonstrance of the Irish bar was treated with contempt by the English benchers, who, in neglecting even to acknowledge its receipt, added insult to injustice.

By this time (1812), O’Connell, by his own sheer, unaided merits, had reached a lofty reputation at the bar. After fourteen years of assiduous toil, his claims had become known. He had put his sickle into the field, and the golden harvest was bending in and falling under his efforts. But still, though cheered by success, he could indulge in no diminution of toil. To estimate his merits we must glance at the difficulties of his profession—the Alps he had to climb. The bodily and mental labour of a successful barrister’s life would be suf-

ficient, if known beforehand, to appal the stoutest. His life is passed in a tumult of perpetual contention, and he must make up his sensibilities to give and receive the hardest knocks. He has no choice of cases. He must throw himself heart and soul into the most unpromising. He must fight pitched battles with obstreperous witnesses. He must make speeches without materials. He must keep battering for hours at a jury that he sees to be impregnable. He is before the public, and at the mercy of public opinion; and if every nerve be not strained to the utmost to achieve what is impossible, the public, with its usual good nature, will attribute the failure to want of zeal or capacity in the advocate—to anything rather than the weakness of the cause. He must appear to be sanguine even after defeat, and be prepared to tell a knavish client, beaten out of the courts of law, that he has “a clear case for relief in equity.” He must cram his memory with the arbitrary principles of a complex and incongruous code, and be equally prepared to apply and misapply them. This is a necessity in the profession. He must not only surpass his competitors in the art of reasoning right from right principles—the logic of common life; he is obliged, when his client's necessities require it, to reason right from wrong principles, and wrong from right ones. He must learn to glory in a perplexing sophistry as in the discovery of an immortal truth. He must make up his mind and face to demonstrate in open court, with all imaginable gravity, that nonsense is replete with meaning, and that the clearest meaning is manifestly nonsense by construction. This is what is meant by legal habits of thinking; and to acquire these he must absolutely forswear all other studies and speculations that may interfere with their perfection. There must be no dallying with literature—no hankering after comprehensive theories of the good of the human species. He must keep to his digests and his indexes. He must see nothing in mankind but a great collection of plaintiffs and defendants, and consider no revolution in their affairs as comparable in interest with the last term reports of points of practice decided in *Banco reginæ*. He must view the most interesting incidents and situations in human life with a reference to their legal effect and operation. If a funeral passes by, instead of allowing his imagination to follow the mourners to the grave, he must consider how far the executor may not have made himself liable for waste of assets by some supernumerary plumes and hat-bands “beyond the state and circumstances of the

deceased;" or, if his eye should light on a requisition for a public meeting to petition against a grievance, he should as a lawyer regard the grievance as immaterial, but bethink himself whether the wording of the requisition be strictly warrantable under the provisions of the Convention Act. Such is the life of a lawyer—and such a life O'Connell had now led for fourteen years.

"We may here," says Fagan, "be permitted to give an anecdote to exemplify O'Connell's rapidity of conception, his knowledge of law, and the tact with which he made even his broad humour tell for his client's advantage. In a case at a Cork assizes, in which he was counsel on the same side with many of the most eminent men who attended circuit, he was absent in one court while some points of great importance were undergoing discussion in the other. His fellow-barristers were able lawyers; but they were severely pressed by the opposing counsel, and an unfavourable issue was threatened. The judge was about to declare a verdict—counsel were in the last extremity, and their only hope rested on O'Connell. He had been sent for once or twice; but he was then addressing a jury in behalf of a prisoner on trial for his life. He was disengaged in the nick of time—his learned and able friends were in the last stage of despair, when he entered the record court in an apparently indifferent and inattentive manner, gaily jesting as he passed in with individuals he knew. He could not, we believe, have previously known much, if anything, of the case he was hastily called to argue; but he caught, as he proceeded to his seat, the upshot of what counsel was driving at. Drawing the cord of his ample bag, he extracted quickly from its depths the particular brief he wanted; and glancing through a sheet or two in the most superficial manner, he rose to address the court. In a few brief sentences he cleared away the difficulties by which his fellow-counsel were embarrassed. In a few more he turned the tables on the opposite party; and in one of the shortest speeches he, or any other lawyer, was ever known to make in a case of similar importance, he banished all idea of a nonsuit from the judge's mind, and succeeded in winning him over decisively in favour of his client. He disposed summarily of the main difficulty. He extricated his learned brethren from the slough; and informing the court that the remainder of the argument would be carried on by one or either of the junior barristers, he consigned his brief to its former place, closed his bag, and returned to the court whence he was summoned.

The case was won. 'He found,' said our informant, 'the able men with whom he acted sprawling like a parcel of children; and it was he only who set them on their legs.' The incident is but another illustration of his commanding powers as a lawyer, and the facility and readiness with which he could apply the acquisitions of a practical, sagacious, and extraordinary intellect."

"It is stated in an article in the *Edinburgh Review* that Lord Brougham was intended to lead a libel case; but immediately before the trial, it was discovered that the other counsel, a mere special pleader, was his senior, and the mistake proved irremediable. It was thus, I may remark, that the supersession of Sir Arthur Wellesley after the battle of Vemiera, in 1808, by two senior but far less competent officers, arrested the course and blighted the fruits of that victory. On an occurrence, however, in this city, not dissimilar to that of Lord Brougham, Mr. O'Connell, with instant happiness of thought, applied the remedy which had evaded the learned peer's sagacity. Engaged in a case the success of which mainly depended on his examination of the most material witness—a department of the profession in which he had no superior—he found to his surprise on entering the court that his destined station and consequent task were occupied by another; the client having, without communication and wholly unconscious of the etiquette of the bar or its consequences in this instance to himself, privately retained an old friend of more moral than intellectual merit, but Mr. O'Connell's senior. The law agent, Mr. Denham Franklin of Cork, my informant of all the particulars, naturally dissatisfied with this act of his employer, and fearful of the issue in such hands, was about to abandon the cause, when Mr. O'Connell, chiding him for his despondency, directed him to ascertain the name of a gaping clown whom his searching eye had espied in the crowd. The individual was immediately called up, and to his astonishment presented as first evidence by the instructed attorney for examination to the intrusive counsel, but was dismissed as totally incapable of a pertinent answer. Thus, however, the desired end was attained; and the leader—his part being accomplished, stood no longer in the way of Mr. O'Connell, who succeeded him, and failed not to achieve the expected result."

Among those whom O'Connell at this period loved to castigate in his public orations, Jack Giffard holds a conspicuous place. Giffard was originally an apothecary. "When I was at the Dublin University," says Sir Jonah Barrington, "the

students were wild and lawless. Any offence to one was considered an offence to all; and as the elder sons of most men of rank and fortune in Ireland were then educated in Dublin College, it was dangerous to meddle with so powerful a set of students, who consequently did precisely what they chose (outside the College gates). If they conceived offence against anybody, the collegians made no scruple of bringing the offender into the court, and pumping him well; and their unanimity and numbers were so great that it was quite impossible any student could be selected for punishment. In my time we used to break open what houses we pleased; regularly beating the watch every night—except in one parish, which we always kept in pay to lend us their poles wherewith to fight the others. In short, our conduct was outrageous—and the first check we ever received was from Giffard, who was a director of the watch, and kept a shop close to the Parliament House. He having in some way annoyed the collegians, they determined to pump Giffard; but they reckoned without their host. He entrenched himself in his house, which we assailed, breaking all his windows. He gave repeated warnings to no purpose; and a new assault being commenced, Giffard fired a pistol and a collegian was wounded in the wrist—whereupon the besiegers immediately retired from the fortress. It was a lucky shot for Giffard, who immediately obtained some parochial office for his firmness, made himself of importance on every trifling subject, and harangued constantly in the vestry. Of his subsequent progress I know nothing till about the year 1790, when I found Giffard an attaché to the Castle in divers capacities. He was afterwards placed in the revenue department, became a common-council man, and at length high sheriff; at which time he acquired the title, which forsook him not, of ‘the Dog in Office.’ He had a great deal of vulgar talent, a daring impetuosity, and he was wholly indifferent to opinion. From first to last he fought his way through the world, and finally worked himself up to be the most sturdy partizan I ever recollect. His detestation of the Pope and his adoration of King William he carried to an excess quite ridiculous—in fact, on both subjects he seemed occasionally delirious.”

At the election of Sir Jonah Barrington, Giffard, on some pretext or other, objected to Grattan's vote. On this occasion Grattan delivered the following memorable words: “Mr. Sheriff, when I observe the quarter from which the objection comes, I am not surprised at its being made. It proceeds from the hired traducer of his country—the excommunicated of his

fellow citizens—the regal rebel—the unpunished ruffian—the bigoted agitator! In the city, a firebrand; in the court, a liar; in the streets, a bully; in the field, a coward! And so obnoxious is he to the very party he wishes to espouse, that he is only supportable by doing those dirty acts the less vile refuse to execute.” Giffard, thunderstruck, lost his usual assurance, and replied in a single sentence: “I would spit on him in a desert!”—which rapid and unmeaning exclamation was his sole retort. At this time Lord Liverpool was premier.

Lord Liverpool's ministry was compared by Curran to the council which Brabantio addresses in the drama of “Othello,” where the “potent, grave, and reverend signors”—solemn and stupid—consist of call-boys, scene-shifters, and candle-snuffers, whose robes are old curtains, and whose frowsy wigs are taken from the stores of the play-house. Such as the ministry were, they consisted of that portion of the aristocracy to whom the reins were confided by the inside passengers. The aristocracy have been defined, we may remark, as consisting of those in the monarchy who consume most and produce least—who monopolise the most brilliant distinctions, but deserve the most profound obscurity—who fill every office that can be imagined, and perform no duties that can be conceived—highly honourable men, in short, who form a disgraceful league to live idle on the labour of other people. The man who, in 1812, formed what Shakspeare terms “the big toe” of this coalition was Lord Liverpool. He was equivalent to Lord Palmerston in the present day—he was first lord of the treasury. It is a received maxim in public life that no English minister can be an honest man, and Lord Liverpool was an English minister. He used words not to convey but to conceal his thoughts, and always in speaking considered what he should keep back rather than what he should put forth. He repressed with caution the vehemence of passion—those uncontrolled emotions which give birth to eloquence. His oratory consisted of hollow declamation and vague phraseology, worn-out topics ramped up anew and empty common-places on morality—in a word, false eloquence, intended to cajole and deceive, not to enlighten and instruct.

A proclamation in 1812 was issued by this man dissolving parliament. The whole country was immediately convulsed with the clamours and turbulence of contested elections. A struggle of the most stormy character raged over the two islands. The battle of the factions was fought at the hustings with a vehemence and fury that distracted and almost upturned society.

For a while nothing could be seen, thought, or heard of, but uproar and violence, drunkenness and perjury, scurrility on the platform, and scuffling and pugilism amid the spectators. The fiercest tumults distracted the country, the wildest riots maddened the towns. The elections converted the populations into hostile armies, animated by furious passions, and ready to rend one another to pieces. The purest virtue, the basest treachery, the most profound corruption, and the noblest disinterestedness were visible in the tempest which shook the moral atmosphere, and threw society into a paroxysm of indescribable disturbance.

Alluding to these elections, in November, 1812, O'Connell said, at a meeting at Kilmainham: "I am afraid, gentlemen, that I shall take up too much of your time if I advert to topics that crowd upon my mind (loud cries of "no, no!" "go on!"). The first I feel inclined to allude to is an address lately published by a friend of religious liberty, and printed by Mr. Cobbett, a distinguished colleague of his in the exposure of public corruption—I mean Lord Cochrane, one of the members for the city of Westminster. This distinguished member observes that he was once opposed to the Catholics because he disapproves of the slavish doctrines which prevail in the Romish Church. See the consistency of our calumniators.—At one time they say we are agitating democrats, crying aloud for an unwarrantable measure of liberty; the very next moment they turn round and say we have a marvellous propensity to slavery. The truth is, that their accusations are false in both instances. We are partial to a legitimate monarchy in a hereditary line, but we still say that life is not worth enjoying without the blessings of freedom. Lord Cochrane admits that he has abandoned his antipathy to Catholics, and says he is ready to grant them the immunities he enjoys himself if they accept the privileges of Englishmen, and renounce the jurisdiction of the Pope. I say we are most anxious to obtain the privileges of Englishmen. Let Cochrane recollect what the first Irishman that ever was born said at Newry. (Here O'Connell was interrupted by prolonged acclamations.) I am not surprised that you should feel the most ecstatic emotions of the heart when I allude to John Philpot Curran. It recalls to us everything that is dear and interesting in our history. I know the name of Curran has conducted you back to that awful period in our annals when we were deprived of our independence, and metamorphosed into the colony of a people not worthy of being our masters. The Irish Cicero ob-

served at Newry that Englishmen love the privilege of being governed by Englishmen. I would tell my Lord Cochrane that Irishmen as highly value the privilege of being governed by Irishmen. The second proviso of Lord Cochrane is of a polemical character. He wishes to destroy the jurisdiction of the Pope. I would ask him in the name of Christian charity, has he not our oaths? We are degraded, excluded, and insulted, because, for any favour earthly power can bestow, we would not violate our oaths—and still we are insulted by being told that our oaths are not a sufficient guarantee of our allegiance. It is most amazing how men will persevere to play with our feelings. In the course of my professional pursuits I have been one hundred times compelled to swear that I did not think it lawful to commit murder (a laugh). You laugh, gentlemen; but what I tell you is not a greater absurdity than Lord Cochrane's proposed pledge. Why, if any man in the community had the audacity to tell me directly that I did not value an oath, either he or I should not long survive such a flagrant insult. But we are told we have predilections. I do not deny the charge. As for my part, I do not value the man who has not his predilections and resentments; but at the same time, Lord Cochrane may as well fear our predilections for the Grand Lama as for the Pope of Rome. But turning from events at the other side of the water, let us examine what is going on in this country. The elections are in some places still going forward. I am told the Catholics have considerably lost by the appeal to the people. In one place they have lost to an incalculable amount indeed. Christopher Hely Hutchinson has lost his election in Cork (cries of "shame!") I regret this misfortune the more because it was not the efforts of a profligate minister that rejected him—not the anger that has followed his family since one of them, with Roman-like resolution, drew the veil from that infamous luxury and nauseous enjoyment in which the wine-bibber's voice is heard decisively pronouncing that you shall be kept in bondage. He failed, not because the attendants of the Castle upheld his opponents—not because our worthy viceroy expended in opposition to him the profits of the London coal tax, or the £30,000 he is allowed as a slave. Christopher Hely Hutchinson is out of parliament because of the apathy of the Catholics. The negligence—the wicked and pernicious negligence of the Catholics did against him what neither the frowns nor smiles of the administration—the favour nor the anger of the court could do. Let every man who hears me bear it strongly

in mind and communicate to his friends, that the neglect of the Catholics of Cork in registering their votes was the sole cause of our losing the services of an admirable Irishman."

The wine-bibber to whom O'Connell alludes in the above extract was the Prince of Wales—whose adulterous attachment to Lady Hertford rendered him, it was thought, hostile to popular rights.

"It is strange," writes the author of 'Memoirs of the Times of George IV.' "that every person, even the most profligate, abuses Lady Hertford; yet all the aristocracy in England receive her and visit her. Lord ——— said the other night, that she had as much murdered one of her admirers as if she had pulled the trigger which had shot him. He then proceeded to say, that at the time she left that admirer she had one daughter by him, whom she loved much, but upon whom her husband doated also. So, in order not to part with this girl, she feigned its sickness and death, and buried a dead kid, instead of the child, at Leghorn, and sent the girl away to England. She sent her under the care of a man whom I can never look upon without dislike. Think of any one's kidnapping another's child—and to please a woman! The wretched father wept his lost child for some time, and when it was convenient to Lady Hertford to rid herself of that child, she had the kid disinterred in proof of the deception which she had practised, and informed the father that she sent him back his daughter alive and well. The shock proved too great for the unhappy man, who went mad and shot himself; and the villany has hitherto remained unpunished—the perpetrator of this tragedy can walk about in peace. People generally end this tragic tale by saying: 'Poor ———; he was a great fool!' It will be better at the day of judgment to be that great fool, than the woman who is dignified with the false epithet of clever."

Wyse, in his "History of the Catholic Association," compares the wealthy Catholic of penal times to the wealthy Jew of the present day. He had the same habits of frugality, the same passion for hoarding, the same devouring appetite for gain. Unfortunately he had, in addition to this, the cowardly subserviency, the fawning manner, and sneaking gait of the Jew. He was ready to prostrate himself before a Protestant, as the oriental Jew prostrates himself before a Turk. The overwhelming calamities which crushed the Irish in 1798—the horrors of the baffled rebellion, the cruel tortures and wanton barbarities—had terrified and demoralized the wealthier Catholics—cowed, scared, and broken their spirit. As O'Connell

often said, the Catholic might be distinguished as he crept along the street by his downcast air and abject appearance, his depressed and servile movements. The outward manifestations of inward degradation had partially, under the influence of more auspicious circumstances, disappeared. The Catholic had learned to lift up his head ; but though his body was that of a freeman, his mind was that of a slave. He still cowered and trembled internally before his old oppressors, and in the ordinary affairs of life exhibited towards them a grovelling subserviency and cowardly complaisance.

During the elections of 1812, this abject baseness was seen in glaring colours. Some of the wealthiest Catholics were guilty of the foul delinquency of deserting on the hustings candidates who had made sacrifices for their liberty, and grouped themselves under the standard of Orange ascendancy. This profligacy excited throughout the whole country general abhorrence. The most unpardonable recreancy of the kind was exhibited at Newry, where Curran was abandoned, and where his opponent, General Needham, received the active support of several leading Catholics. In alluding to this, Curran said : " The motion was seconded—I blush to think of it ; I burn at being obliged to state it—by a merchant of Newry, himself a Catholic, the uniform witness, as he, together with his Catholic brethren, had been the uniform victim of the principles of a gentleman whom he thought proper to support. Never shall I forget the figure which the unhappy man made, hesitating, stammering, making a poor endeavour to look angry, as if anger could cast any veil over conscious guilt, or conscious shame, or conscious fear ; and to what extent must he have felt all those sensations if he looked forward—not merely to the sentiments of indignation and contempt which he was exciting in the minds of those that he betrayed, but the internal horror that he must feel when thrust forward to the bar of his own conscience, and the dreadful sentence of expiatory torture which that indignant conscience must pronounce upon him ? "

Even at the present day, years after the concession of Emancipation, there is an absence of self-appreciation and a want of self-assertion among the wealthier classes of Catholics. In all questions involving Catholic interests they manifest a sneaking subserviency—a tendency to take what are termed moderate, but what are really cowardly views of the question in hand. They parade a false candour which never deceives, and make paltry compromises which are secretly despised—in the

hopeless view of obtaining corresponding concessions, which are never made. The high-handed habits of ascendancy often cling to the Protestant; he fancies himself a master—he is still intolerant in bearing and tyrannical in tendency. The crawling habits of subjugation, on the other hand, disgrace the wealthy Catholic; he fancies himself a slave—he is too often cringing, sycophantic, and mean-spirited. So true is the old observation, that it is harder to convert the bondsman into a freeman, than to break the stubborn resistance of the freeman and reduce him to bondage.

On the 7th November, 1812, a meeting of the Catholic Board took place in Capel-street, where the conduct of those recreant Catholics who had, “under” any pretence, supported at the elections a no-popery partisan” was subjected to reproof or held up to scorn—denounced and stigmatised in terms of indignant censure. Jack Lawless introduced a motion, declaring that such recreant Catholics had utterly forfeited the confidence of the Board. “The Catholic Board,” said Mr. J. Lawless, “were appointed by an aggregate meeting of the Catholics of Ireland, for the purpose of preparing and presenting a petition to the parliament of the empire; and also for the purpose of taking into consideration any point connected with that petition. This is the amount of the commission with which you were entrusted. Then comes the question—how is this trust to be executed? Is it to be executed by men who, when they leave this Board, go on the hustings and give their support to the tried and trading enemies of the cause. . . If we have the power of wreathing the brow of my learned and eloquent friend, have we not the power of rending the laurel from brows that do not deserve it? Heaven knows,” he continued “we have difficulties enough to contend with besides the infidelity or traitorism of ourselves. Desertion from our ranks, gentlemen, is, in this moment of our necessity, so little to be expected, so disgraceful to the cause, such a crying sin against the first duties of citizenship, that it should be punished with all the indignant severity we are capable of using.”

O'Connell, when asked in private conversation as to Lawless's merits as an orator, said: “He began admirably. His first four or five sentences were exceedingly good; the language excellent, the sentiments impressive, the delivery admirable. But then he began to fail, and continued to the end in a strain of incoherence. Sometimes, indeed, he got off right well—that is, if he were interrupted near the outset. He would then reiterate his opening points with excellent effect, and with the spirit

which the stimulus of a little brushing opposition infused into his manner. But Jack was an unpleasant sort of fellow to transact business with. One day in committee Jack told us he meant to bring publicly forward, at that day's meeting, a certain topic which I was of opinion it would be infinitely wiser and more prudent to leave in the shade. I expressed that opinion very strongly, and was backed by many persons. Lawless seemed reluctant to acquiesce; but at last he said: 'O'Connell, you are right—I see you are quite right. I shall say nothing on that subject at the meeting.' I thanked him for his acquiescence; and in order to make assurance doubly sure, I said to him, as we were passing through the little boarded entry into the great room: 'Now, Jack, you'll be sure to hold your tongue about that affair?' 'Do you mean to doubt my word?' retorted Jack, rather angrily. 'Have I not promised to be silent? I consider my honour as pledged.' I was quite satisfied, and we went in. I moved somebody into the chair, and sat down to look over a letter, when up started Jack, and dashed full into the topic upon which he had just promised silence. Of course I had to draw the sword on him in reply."

Feeling certain that Lawless's motion would light the fires of discord, O'Connell was desirous of smothering its discussion. With this view he introduced a motion on which they were certain to be unanimous—a motion for a public dinner. He deeply felt the inutility, not to say the mischief, of publicly castigating men who had lapsed from political duty, and had sacrificed to a sense of private obligation their public obligations as patriots and Catholics. It was not only impossible to recal the past, but it was the seducer that should be assailed. But Jack Lawless would not be withheld. The stormy pleasures of a public and prolonged debate had unspeakable charms for this wayward and unmanageable gentleman. He never seemed so happy—so thoroughly at home as when the verbal battle was hurtling and raging around him. Such was his passionate love of this excitement that after receiving an appalling flagellation from O'Connell, he would skip joyously into the committee-room, rubbing his hands in the highest glee and satisfaction, exclaiming: "Well, hadn't we a delightful debate?"

O'Connell said that "the dinner, if its own intrinsic worth were considered, was certainly of little value, and to none of less value or consideration than to himself; but it would, in his opinion, have the good effect of bringing Irishmen to-

gether in awful and dangerous times—keeping alive in their minds the great constitutional objects for which they were labouring, and uniting them more firmly and lastingly in the bonds of mutual attachment and in the legitimate pursuits in which they were engaged. It could not escape recollection that a fragment of a grand jury had, within a few days, been goaded into the politic act of representing the Catholic Board as a nuisance. This base insinuation demanded something from the Catholics of Ireland.” After some additional remarks on the new efforts of their foes to crush the old hopes of their friends, O’Connell moved, “That a grand dinner be given, on some convenient day in December, to the friends of religious freedom,” which was carried unanimously.

Mr. Lawless then rose, and proceeded with his motion. He animadverted severely on the conduct of Mr. Caulfield of Newry, who though a Catholic, and still more, a delegate, had refused to poll for Curran, and voted for his adversary. The defence of Mr. Caulfield was very peculiar—it was made by a Mr. Byrne, who alleged that Caulfield had been plunged into a dungeon in 1798. An order for the prisoner’s release had come down to Mr. Corry, who, unmindful of the sufferings of Mr. Caulfield, pining in his dungeon and draining away the dreary hours in dismal confinement, kept “the release” ten days in his pocket. Justly indignant at the negligence or malice of Mr. Corry, when he learned that this man was to stand for the borough, Mr. Caulfield pledged himself to vote for General Needham, the opponent of Mr. Corry. Such was the defence which was set up for Mr. Caulfield; and O’Connell seemed to approve of it when he said: “He was sure a meeting of Irishmen would not confound the base and despicable betrayer of his native land, and the man who had acted from an impulse most honourable to any man. It was true there had been room for censure, but the Board should hear before it decided, and give those persons an opportunity of defending themselves before it inflicted punishment. Let it not be said, that you decided without trying—that a tribunal of Irishmen would even risk the charge of visiting an Irishman with injustice. It would be cowardly to rob a man of his character in the dark. Those men may have cases to make—they should be permitted to make them.” O’Connell concluded by moving an adjournment, which was seconded, discussed, and finally carried by an overwhelming majority.

The question which J. Lawless originated distracted not only the Board, but nearly all the Catholics of the kingdom.

Nothing could be more certain than the culpability of some Catholics ; but nothing could be more doubtful than the policy of punishing them. If the Board ousted the guilty, and sent them back to the counties, the character of a representative assembly would be assumed by the Board by the act of discarding them. The question was talked of everywhere, and converted by the muses of the streets into such songs as the following :

“ Since now, my boys, we all are met,
 Staunch enemies to freedom O !
 We surely shall return our pet—
 Our own dear favourite, Needham O !
 Then push about the glasses O !
 Push about the glasses O !
 Corruption, boys, we will support,
 While Caulfield's whiskey passes O !

‘ Apostacy has swelled our ranks,
 We now may laugh at freedom O !
 ‘Gainst truth and liberty we'll vote,
 Supported by our Needham O !
 Then push about the glasses O !
 Push about the glasses O !
 Corruption, boys, we shall support,
 While Caulfield's whiskey passes O !”

On the 28th November, 1812, the discussion was renewed. In the course of this discussion, O'Connell denounced the motion. “ It would sacrifice men,” he said, “ who had ever evinced the utmost anxiety and zeal for the promotion of the Catholic cause. It would go to divide the body, and interrupt that harmony which was acknowledged upon all hands to be of the most vital importance. It would carry the broad inconsistency on the face of it, of censuring persons who, at the same time, were held to have satisfied public opinion. One gentleman had said, ‘ let those whom the cap fits wear it.’ It seldom happened that the individual whom the cloak of infamy best suited would himself put it on. It was a pitch-cap of torture that they were about to force down upon the heads of unoffending men, and not a well-earned infliction upon real and shameful delinquency. The Catholic Board, he would beg of gentlemen to recollect, had now arrived at such a height of influence and importance, that their frown was sufficient to cast dismay around any man they attacked ; but it behoved them to prove that the moderation and justice with which they exercised that power was commensurate with its magnitude. Whatever might be the decision of that day, he would take

upon himself to assert, that no Catholic in the land would venture to vote again in a manner that could subject him to their displeasure. He thought individual votes of censure highly reprehensible, and certain to be attended with the very worst consequences. It would be nothing less than transforming the Catholic Board into a terrible inquisition. If such a transformation were to take place, there was an end at once to the security of the best men. No one, however conscious of his innocence, could feel safe should a faction who could muster twenty or twenty-five votes, have it in their power to act in this manner; he knew not how soon they might come forward and say, Daniel O'Connell does not deserve the confidence of the Catholic people."

O'Connell's efforts to shut out the censure implied in Lawless's motion proved nugatory, and the meeting finally resolved, "That such persons as had deserted the tried friends of the Catholics at the last general election, were no longer deserving of their confidence."

The noble efforts of O'Connell to establish harmony contrast very favourably with the mischievous efforts of the aristocracy to introduce dissension. It would be a gross error to suppose that Emancipation would have been conceded if the Veto had been consented to by the Catholics. No; the true object of the English aristocracy in mooted the Veto was to tear the Catholics asunder, and distract their members with raging discord and conflicting hostility. They hoped that from its discussion frantic division would start up wildly in the maddened councils of the Catholics, and drive out decent prudence, effective action, and harmonious wisdom. This is hinted at by Burke. "You will have a schism," says Burke; "and I am greatly mistaken if this is not intended and systematically pursued." The Catholic aristocracy within the Board fed and fostered the serpent, which was slipped into the open bosom of the body by the Protestant aristocracy outside the Board. True wisdom, true patriotism, would have consisted in shutting out completely the consideration of the Veto—they should not have even looked at it; but this exclusion could not be effected owing to the treachery of the Catholic aristocracy, who let it in. What, however, was treason on the part of the aristocracy was blindness on the part of the people; nay, it was almost suicide. Availing themselves of the slavish deference for hereditary titles which disgraces the uneducated Irish, the Catholic aristocracy were enabled to act treacherously while escaping the punishment of traitors. But they

aroused a heaving surge of turbulent mutiny which inspired them with apprehension—which might burst up, lash over, and swallow them down. Their oily, polished, and specious treachery was answered by the bridled rage of the people, who were at once awed by their dignity, yet maddened by their proceedings. The people thus were rendered furious and despotic—would listen to no compromise, no half measures; an abjuration, total and absolute, of the obnoxious principle was alone accepted. In cowardly terror the alarmed aristocracy crept one by one slowly and ingloriously away from the boisterous turmoil they themselves had called up. They shrank from the violence of the tempest, to find in the calm of their private position that they commanded no consideration. They were sneered at by one party, laughed at by another, and despised by both. The respect they received as lords consoled them in some degree for the contempt they received as rascals. Whether they merited the respect might be questioned, but even themselves could not doubt that they richly merited contempt. The aristocracy who adhered to the Catholic Board were intent on its destruction; they sapped it by jealousies and distrusting, and shook it by clamorous conflicts. But in breaking it up they were training O'Connell. From the clashing tumult of conflicting passions, which raged and battled in the Board, O'Connell learned the art of conducting and controlling public assemblies. He brought up the priceless pearl of experience from the black and boiling turmoil of exasperating passions that maddened in the Board—he learned to steer the barque of popular agitation through the storms that roared above and the surges that yawned below. He learned, while contemplating the dissensions of the Board which he could not prevent, to profit by their squabbles and garner wisdom from their folly, and brace himself for the prodigious efforts which he made in after times. The Catholic Board of 1812 was the school of the Emancipator of 1829.

With the view of averting the evil consequences—the distrust and bad feelings which were certain to spring up, like noxious weeds, from the vote of censure J. Lawless had so pragmatically introduced, Dr. Dromgoole brought in a motion, stating that the resolutions of the preceding summer did not sanction the violation of promises entered into at any period previously to the adoption of such resolutions.

O'Connell said that he sanctioned the motion of Dr. Dromgoole because he respected that gentleman, and wished for an opportunity to express himself on a subject which distressed

and distracted the popular mind. One would imagine that they were at a loss for enemies, so sedulous did they appear to arouse them amongst themselves. As if Ireland was not sufficiently distracted, division and dissension were introduced as pastime into the Catholic Board. It might be the promptings of his vanity that made him think that he might have arrested the progress of the feud that tore them asunder—but it was certainly the dictate of his duty to attempt to arrest it. Though nominally abstract, the resolution in question was really personal—was hurled at a single individual: he meant Mr. Lalor. He (O'Connell) had the honour to be his kinsman. He knew his worth alike in the relations of private life and the struggles of the Catholic cause. When danger menaced the Board he was the first to throw himself into its presence; his determination increased with their difficulties—his spirit strengthened as dangers thickened round them. He always adopted at that Board the most manly, spirited, and honourable course; he never talked of compromise. If Mr. Lalor had forfeited the confidence of the Catholics of Tipperary, they might have expressed their disapprobation, and from that moment, like Mr. Jennings of Newry, he would have ceased to be a member of the Board. When the Board passed a censure on Mr. Lalor, it passed out of the limits of its authority into the power of the attorney-general. "There is," continued O'Connell, "an unhappy spirit broke out among us. It is the inevitable consequence of turning this Board into a species of mock tribunal, and destroying individuals with an axe which you term 'abstract censure.' In plain truth, how is it possible that we should judge with discretion or discrimination of the motives that may impel private individuals? Their neighbours in their respective counties may be able to judge of them, and they certainly are able to punish them by exclusion from this Board. But how are you to summon witnesses, or to examine them to form any estimate of facts? I will tell you what the witnesses are—public report, a liar to a proverb; and anonymous calumny, an assassin upon record. I myself, for example, have no less than five anonymous letters lying upon my table, which charge my estimable friend with every atrocity. I know of my own knowledge that it is simply impossible that some of them should be true—I am convinced they are all false. Yet, how many members of this Board—how many excellent and truly honest men may be influenced in their decision of Mr. Lalor's case by communications which may have reached

them in a similar way? In truth, it would be most dangerous for us to usurp the power of judging of facts which we want the means to investigate. But my great objection must be repeated—the discussion of questions of this nature, affecting particular individuals, must necessarily tend to excite personal animosity amongst us, and to produce irritation and rancour. I appeal to you whether it has not already had this effect. Indeed, I need not make the appeal; there is not a man in the Board who has not seen with regret a spirit of violence and of hatred, the very genius of personal malignity, settling here, where all was peace, and unanimity, and cordiality. And have we not enemies enough, and to spare? Have we not Lord Manners and His Grace of Richmond in front, whilst the attorney-general and the Dublin grand jury hang on our rear? Have we not on our flank the bigoted Liverpool, and that Castlereagh, long exercised in every dark stratagem of ruin, who would for emolument barter a seat in heaven, if he had any interest in that country. At this moment, bigotry is awakened from the slumber into which Protestant liberality in Ireland had cast her. Bigotry, at the command of power—bigotry, lured by the beloved voice of interest, has arisen in every part of the land. The first in station and in rank set the example of obedience to the command which they themselves issued. Every little village bigot in the land is animated with the hope of discounting his despicable malignity into the pay and plunder of some office. Mark the active rancour of their hostility. Hutchinson—the patriot Hutchinson—is opposed in Cork for being your champion. The opposition of the Castle stoops to all the meanness of personal animosity; it disgorges its domestics and menials, from the highest to the lowest, against him. The refined amusements of our refined government are suspended; even casino stood still, and the tea-table was unattended. Everybody was absent—everybody was sent to oppose Hutchinson because he was the friend of the Catholics. The clergy, who sometimes have a most admirable instinct in discovering what is for their interest here as well as hereafter, are many of them active against us; they are easily marshalled under the auspices of a right reverend prelate of the Established Church—the son of Popish parents—the brother of a Popish priest, who has published a pompous pamphlet against us of great promise and pretensions, but of little performance, save what it effects by the very difficult and novel process of repeating calumnies a thousand times refuted, and abjured—and contra-

dicted upon oath by every Catholic in Ireland. I should be content if we were at leisure to investigate the worthy prelate's motives, or that we even had an opportunity of printing, in the same shape with his pamphlet, another literary *morceau* of the learned and pious divine. It was, I believe, his first attempt—a farce called the ‘Generous Imposter!’—oh, the generous imposter! The theatrical dictionary informs us that this farce was damned. A friend of mine who happened to have seen it assures us that there was a warmth of expression in it—he would not for the world call it an obscenity—which in some quarters would almost atone for its dulness; but it was too dull even for the vicious taste of a London audience to preserve it for its seasoning. But perhaps this pamphlet is as great a farce in the Fitzwilliam administration as the silent exertions, if not the pamphlets of the divine, were at the other side. Oh, the generous imposter! Look to the counties—see how you are calumniated. I have already more than once had occasion to remark, the principle of this administration is falsehood; this principle betrays itself in all its acts. It therefore unblushingly circulates its calumnies against us with the most thorough conviction of their total want of truth. Where it cannot procure the direct assertion of an untruth, it is content with an insinuation containing the same meaning. Thus, for example, a fraction of the county of Dublin grand jury could never have dared to charge the Catholics of Ireland plainly and directly with high treason, but they have had the meanness to insinuate it covertly and in bad English. We should thank them little for the prudence which taught them to avoid the direct assertion, when we meet the depravity that allowed them to make this oblique and unmanly attack on our characters. Where is the individual amongst them that would venture to make the foul and false insinuation of disloyalty to any gentleman of this Board? And if there were any individual so rash as to use the insinuation, I know the chastisement he would meet with and receive. But as a body we are calumniated with safety, because we are idly busied in dissension and division amongst ourselves. Take another example—one of direct falsehood—what Shakspeare calls ‘the lie direct,’ and not, as in the case of the grand jury, ‘the lie by equivocation.’ An advertisement has appeared in the Dublin papers stating that a meeting of the Protestant freemen, freeholders, and inhabitants of Dublin had taken place. Now this means, and was intended to mean, a public meeting at which every such Protestant might have attended. But was there any such meeting?

There certainly was not. Everybody knows there was not. It is a falsehood—false as God is true; a falsehood signed with the classic name of Abraham Bradley King, Lord Mayor, but not the less unfounded. The noble, grand Lord Mayor just certifies an untruth. He might, and probably had a parlour or dining-room meeting, but it was no more what he says—a meeting of the Protestants of Dublin—than it was a meeting of the Jews of Frankfort. This untruth, however, is of advantage to our enemies. Why? Because we have left it uncontradicted—because we have been so busy in quarrelling with one another about Mr. Lawless's abstract censures, that we have not had leisure to mark with our public contempt the scandalous and impudent falsehoods with which we are assailed. But let us return to our own affairs. Let us return to the consideration of the state of the Catholics' rights. Let us make peace amongst ourselves and carry on the war of words only with our enemies. All our vigilance, all our zeal, all our activity, are necessary for our protection. We cannot afford to squander or exhaust any part of them in a quarrel amongst ourselves. You have passed your vote of censure—be content with it; allow us merely to qualify it by excluding the possibility of any person being deemed to come within it who ought not to do so. Those are persons whose faith was pledged previous to your resolutions of last spring and summer. You admit that such persons are not the object of your censure. All we require is, that you should declare the fact to be so. If your sword afterwards be wielded by private malignity out of this Board, the declaration we require will serve for a shield, co-extensive with your censure, to those who are entitled to wear that protection. I can assure you, that my esteemed friend (Mr. Lalor) desires no other, nor would any man be his friend who sought anything further. All he desires is, for the honour of the Board itself, that it should not be said that you censured him for observing the promise in which he had pledged the honour of an Irish gentleman. By this means you will vindicate the Board from a calumny not less actively circulated for being unfounded, and you will restore that harmony and good temper amongst us, which are so necessary for our preservation at this perilous juncture. I do, therefore, conjure gentlemen, in the name of that afflicted country, which has so many ardent and affectionate votaries in this room, to waive all matters of form, and let us now, at once, adopt a resolution of admitted truth and necessary conciliation. Let us think that poor Ireland, goaded and distressed, wants all

our attention. Let us sacrifice every angry feeling—turn from the past with the temper of forgiving kindness, and to the future with all the firmness which will result alone from unanimity in our own body. Continue divided, and our cause is lost for ever.”

Owing to the strange variety of characters with whom he came in contact and the vast extent of his experience, O'Connell's private conversation was profoundly interesting. “Some ladies of quality,” said O'Connell, “have a strange propensity for theft. There were the Honourable Misses A——. In Bath, the shopkeepers regularly traded on their thievish disposition. Articles of value were left designedly on the counters; the bait of course took, and the honourable thieves were pursued by shopboys, who would say: ‘You have taken such or such articles, ladies—but you have forgotten to pay for them.’ An exorbitant price was then always demanded, which the ladies were glad to pay in order to escape the worse alternative of public exposure.”

A place named Belan was the abode of the Earls of Aldborough, the females of whose family were notorious thieves. Near the entrance stood a finger-post decorated with a painted hand, on which Hussey Burgh composed an epigram often recited by O'Connell, to the effect that were it possible to give it life, the hand in question must be very useful to one who, like the Earl of Aldborough, was not too scrupulous:

“Great Jupiter! could I command
A vital power, to warm that hand—
Give it tenacity and feeling;
Then fix, thus vivified, the fist
Upon my sympathetic wrist,
Oh! what a hand 'twould be for stealing!”

At an aggregate meeting held in Fishamble-street on the 15th December, 1812, O'Connell lashed the Earl of Aldborough—the father of the female thieves above alluded to—with cutting sarcasms. His lordship had taken a conspicuous part at certain Protestant meetings, in passing resolutions condemnatory of the Catholics. O'Connell denied that the persons who appeared at those meetings were really Protestants. “If one instance might be given—and one as insignificant as need be—there was John Earl of Aldborough (“hear” and laughter). His lordship was very active in defence of the Church, and he was by no means to be blamed; on the contrary, he deserved the greatest commendations for having come forward so boldly and offered himself as a martyr for the good of the

Church. Such men honoured the cause they supported (laughter), and the cause in its turn honoured them just as much."

The ardent support of religious orthodoxy by a notorious thief might be profitable to the knave, but was unquestionably disgraceful to the religion. The severe irony of O'Connell was thoroughly relished at the time when the vile nature of Lord Aldborough's character was thoroughly appreciated. In the course of the speech which he made on this occasion O'Connell told an amusing anecdote. He said that one of Lord Aldborough's tenants had been promised, in return for a vote, the patronage of his lordship. "What can I do for you?" asked Lord Aldborough. "It's what I have a boy in the soldiers, your honour," replied the tenant. "He ran away, and 'listed last Christmas was a twelvemonth, and he won't leave it for all I can do or say, and it's what I'm thinking of getting him made a sergeant of, your honour." On applying for this post, Lord Aldborough was informed that it was utterly impossible to grant his request, inasmuch as it required a previous service of six years to qualify a candidate for a serjeantcy. "Does it require six years service to qualify him for a lieutenantcy?" demanded Lord Aldborough. "Certainly not." "Well, can't you make him a lieutenant, then?" rejoined his lordship. "Whereupon," said O'Connell, "the fellow was made a lieutenant for no better reason than just because he was not fit to be a serjeant!"

The preceding anecdote gives some elucidation to a curious article on the British army which Cobbett wrote in 1812, and which O'Connell read with great pleasure: "Baron Linsingen is stated to be the second in command in five counties. One would suppose, seeing this, that generals were extremely scarce amongst us, and that we were glad to catch at this German baron, to afford us his skill in taking care of our five counties. Yet we should fall into a great error here; for though this country abounds in many things—though it does greatly abound in tin, copper, and coals, it certainly abounds more in generals. We have, according to the army list published by authority, 2 field-marschals, 82 generals, 178 lieutenant-generals, 300 major-generals—making together, 562 general officers, besides the brigadier-generals, which are probably equal in number to all the rest put together. However, leaving the brigadiers out, here we have 562 generals. More, I'll engage, than Bonaparte has. He talk of his army, indeed! What is his army—what is his pitiful army to one which has 562 permanent general officers? Supposing our

army to consist of 300,000 fighting men (including the militia); this gives us a general officer to every 533 men—a permanent general officer to every half of a battalion. What do you think of that, little Corsican? And yet the French have the impudence and the folly to say that we are not a military people—that we are unable to meet them in the field. Empty fellows! Where will they look in their army for 562 general officers? But if we are thus strong in military rank—if we have a body of generals making in point of numbers half a battalion—if we are so rich in military skill as to be able to send forth a general to every 200 or 300 men, with almost every escort and picquet—if such be our state, we surely do not stand in need of foreign generals to command our counties here at home, in the very heart of England. Surely, out of the 562 generals whom we have of our own, one might have been found worthy of being employed in the place of Baron Linsingen. And as to officers of inferior rank—as to those that are set over regiments, and battalions, and companies, we have little short of 20,000 of them. We have a commissioned officer, I believe, to every seven effective private men. In short, we are rich beyond all comparison in commissioned officers. The French talk of their army, indeed! Why, we have an army—and a good, stout army too—of commissioned officers. I have counted all the names in the army-list, and I make them 25,000—25,000 gentlemen in arms! Bonaparte, think of that! But then, is not this abundance of officers—is not this wealth in military commanders a pretty good argument against the employing of foreigners to command our regiments, battalions, and companies? I hold that we have more commissioned officers than Bonaparte has. And yet, must we send to Germany for officers to command our men?"

When rising in the House of Commons to support the Catholic petition, Grattan said, on the 25th February, 1813: "I have to lament—and it would be miserable affectation not to acknowledge it—that the petitions against the claims of the Catholics are very numerous and very respectably signed." On this point O'Connell differed widely with Grattan. He said "that a Protestant petition had been sent from Dublin to parliament, to which 2,800 signatures were attached—signatures for the greater part forgeries. Amongst the few that were genuine, he blushed to say, three were members of the Irish bar. It would astonish the Irish people to learn that a profession so remarkable for political liberality should produce three bigots. He regretted the discovery from his soul. The Protestant

clergy who had signed the petition were few in number. Ten attornies had signed it, several placemen, several policemen, together with a rabble-rout of custom-house officers, hired constables, judges, registrars, and proctors of the prerogative court. A few wretched watchmen of orthodox opinions had scrawled their names to it. In its prodigious liberality the Corporation had permitted Papists to act as 'bulkies.' Therefore the Orange petition had not been signed by all the watchmen. But to make amends the tag-rag and bob-tail connected with the Corporation—all its hireling dependents—had signed the petition. The genuine signatures were 800; the forged names were 2,000. Such names appeared amongst them as human beings never bore. The forgers had invented such unheard of names as John Hidpath, James Ridpath, and Johnny Bones; the Sours and the Soars; the Feddlies and the Fiddlies; the M'Coobens and the Muldonges; the Huzies and the Hozies; the Hoffins and the Phantoms; the Leups and the Zealthams; the Sparlings and the Sporlings; the Dandys and Gilbaslis; the Fibgetts and the Feakenses; the Chimnicks and the Rimnicks; the Riotters and the Rowings; the Bawns and the Breakleys; the Rottens and the Russinghams; the Hockleys and the Werrilas; the Mogratts and the Giritrows; the Selhews and the Calyells; the Pithams and the Paddams; the Ladds, Palks, and Navasoras—all figured and flourished in this monstrous farrago of nondescript denominations; such a mad medley of barbarous cognomens never were conjured up by the delusions of magic. They had eighteen Taylors all in a row, and five-and-twenty Armstrongs. In short, the worthy managers of intolerance had conjured up 2,000 figments of the brain, and arrayed these fantastic phantoms in opposition to the substantial claims and representations of the Catholics. It was incumbent on the Catholics to detect the imposition which had been practised on the legislature; in gratitude to the liberal Protestants of Ireland they should rescue the Protestant name from that imputation of bigotry which the enemies of Ireland would cast upon it. If we are mistaken, our enemies can easily confute us; they have only to produce the individual. Mr. Riotter may head their party. I should be glad to see the gentleman. If he does not live in the city, this Riotter, I presume, is to be found in the Liberties. After him our enemies can show off Mr. Wevilla hand in hand with Mr. Navasora; and Johnny Bones, Esq., may appear with Fibgetts, gent.—and even Mr. Knowing can be summoned to come forward in company with Mr. Dandy." (Cheers and laughter.)

PART II.

IN the preceding part of this work we have followed O'Connell through many and varied scenes—his guileless childhood, his studious youth, his arduous and laborious manhood; we have seen him fighting the battle of life, with indomitable courage and herculean exertion, for bread and reputation. In the great rivalry of talent where he had intellectual giants to contend with, we have seen him securing a position at the bar from which it was impossible to push him back; we have followed him into the halls of Catholic council, and listened to his manly voice and bold oratory with admiring attention. With one hand he battled for bread—with the other he smote down the oppressors of his country. At once an advocate and a tribune, a lawyer and a patriot, he fed the lisping babes who clustered round his knees with one hand, while with the other he put forward the rights and claims of the land which had the honour of giving this great man birth. All this we have seen; but hitherto he has been only in the shallows of his great and stormy voyage; he is spreading his sails for a wider flight and a more tempestuous venture, and the storms darkening round his course shall put his very life in danger. We have seen the efforts made to strike him politically dumb by suppressing the committee; we have seen the stratagems of the aristocracy to oust him from the Board. But not content to suppress the societies in which he spoke, and to silence him in the societies which he created, we shall see his enemies plotting his destruction by a more murderous instrumentality. We shall now see him entering upon a career which is perfectly unmatched in the history of the world for the troubles that dishearten and the successes which encourage, for the labours which exhaust and the homage which repays, for the dangers which threaten and the docility which obeys, for the power which is enjoyed and the authority confronted, for the anger brought down and the affection called up, for alternate storm and sunshine, disasters and triumphs, reverses and victories. There is nothing in the wide range of human biography similar to the future topics of our contemplation.

An aggregate meeting was held in the theatre, Fishamble-street, in June, 1813. The theatre on that day presented a busy spectacle. From an early hour that morning, avenues

leading to the theatre—Skinner's-row, Cook-street, the quays, had been crowded with gossipers. From the rafters to the orchestra, the interior of the theatre was alive and swarming with spectators; while the stage, reserved for the speakers, was decently laid out with tables, chairs, and forms. From the thronging swarms, close-wedged together and suffocating in the steaming gallery, a voice rises—"Three groans for the left side of Ballybough Bridge!" which is understood in an instant, and passes through the heaving and agitated multitude like an electric flash, and the whole house bellows with the hoarse jubilation of approval—the roar of laughter, which hails and rewards the witticism. This jest is an ingenious mode of insulting the lord lieutenant. His title is Richmond, and at the left side of Ballybough Bridge exists a village likewise named Richmond—and this is a covert way of insulting his lordship. It elicits that harsh expression of inveterate hate—the grating and guttural "groan," intermingled with hisses, hootings, cat-calls, whistling, clapping, and hearty applause of the unknown jester. "A groan for Jack Giffard!" and the whole theatre resounds and shakes with groans and execrations. "A groan for Paddy Duigenan!" is followed by a similar storm of hooting and hissing. The whole house for a few moments seems to go mad with malicious joy. But stop! Silence! Here are the leaders of the Catholics! Here they come forward from the side-scenes! Here are the four lawyers whom Watty Cox loves to pelt with his ribaldry. "Three cheers for Daniel O'Connell!" and once more the little theatre echoes, rocks, and re-echoes with applause. Look at that fine, military-looking man, who is so warmly greeted by O'Connell. *Chi shin?* "Who is he?" His breast is covered with ribbons and stars and all the insignia of foreign chivalry. That is an Irish gentleman—as the babble of the crowd informs us—who has recently come over from Germany to follow to the grave the ashes of his brother, Wogan Browne, who has just died. He is first *aide-de-camp* to the king of Saxony. His shining sword and brilliant talents have cut for their exiled owner a difficult and perilous way to that distinction and those honours, which the grudging intolerance of a churlish aristocracy withholds from Irishmen in their own land. The proud bearing of this military exile—his eye of fire and lofty demeanour—render more remarkable the downcast look and humble bearing of a woollen manufacturer from the *Liberties*, who happens to stand near him. Last year he was considered rich—now he is a bankrupt. Look at him! He "broke" in January. These two

men typify the valour which succeeds abroad—the industry which breaks down at home. One thousand hands, whom the manufacturer had employed, were suddenly plunged into involuntary idleness—pining, shivering, and starving in their garrets in that inclement season—in the midst of that rigorous winter. Unfortunately, he is only one of nine clothiers in the same quarter who, yielding to the overwhelming competition of British rivalry, have within the half-year preceding this meeting likewise “broke.” The crash spread consternation through the city, in whose streets the disemployed “hands” crawled like ghastly skeletons, begging the sustenance which they were wont to earn. The total number deprived of bread is so prodigious that one turns with horror from the heart-rending computation. All Dublin now swarms with gaunt beggars from the Earl of Meath’s *Liberties*, who may in all probability drop dead from want of food in the monumental streets of Dublin. At a little distance from the manufacturer from the *Liberties* you may descry a military gentleman from Sicily. He is an Irishman, brown and bronzed by foreign service. He has thrown up his commission in disgust, because he was compelled in common with two thousand fellow-Catholics, bearing arms at Palermo, to attend the service of the Established Church against his will.

Meantime the stage is filling with the leading members of the Catholic Board. Among these the head of Scully, bending over a table, inditing a resolution, catches your eye, from its singular resemblance to that of Napoleon I. But when he raises his face—coarse, stout, bluff, and characterised by common sense, the resemblance vanishes. When he rises to speak, his enunciation, measured yet unpolished; his action, irregular but often emphatic, seem worthy of but little remark. Yet this man deserves attention—he deserves respect. Look at him again. He has stripped the veil from the frightful organization equally destitute of folly and pity, the penal laws—cold-blooded, intellectual, and passionless—which crushed and ground the Irish Catholics with a calculated cruelty surpassing that of the ten persecutions. He is the author of a book, well known at that time, that should be known at all times, “Scully’s Statement of the Penal Laws.” Beside Scully you might see the tall, expanded, and muscular frame of Daniel O’Connell, ample and comely; the features at once soft and manly, the florid glow of health and a sanguine temperament being diffused over a countenance national in outline and beaming with national emotion; the expression open and

confiding—at once inviting confidence and destitute of every trace of malignity or wile. That impressive bearing, which years of authority and the long exercise of power stamped upon the grand marshals of Napoleon I. was perceptible in this political chieftain. O'Connell had a certain air of command—a martial dignity, and an expression about the mouth which told you it would be dangerous to disobey him; at the same time his bright and soft blue eyes were the most kindly and honest-looking that can be conceived. There seemed to exist within O'Connell's breast an inexhaustible fountain of buoyant mirthfulness which diffused its influence over the whole circle of his familiar associates. The humorous intonation of his voice, the arch expression of his eye, gave racy zest to many a trifle which in other hands would have been abundantly flat and pointless.

Not far from O'Connell might be seen the red hair and twinkling blue eye of Peter Bodkin Hussey. You might hear him, indeed, lecturing Daniel O'Connell, who has asked him to dinner, on his extravagant affection for his children. "Dan," says Hussey, "you should not bring in your children after dinner; it is a heavy tax on the admiration of the company." "Never mind, Peter," replies O'Connell, in his mellow, deep, peculiar tones; "I admire them so much myself that I don't require any one to help me." There, too, you might see the mild countenance of Lord Gormanstown; the giant frame, sallow face, and long club *queue* of Lord Ffrench; and the broad features and immense head of Dr. Dromgoole. This Dr. Dromgoole was termed "the Duigenan of the Catholic party." He was a Catholic layman who had got, or given himself a theological education. He loved the schoolmen. Thomas Aquinas was in his opinion the most attractive of all authors—the most profound, the most ingenious, the most delightful. The councils, the fathers, the dusty libraries of ancient and modern controversy were his classics. Valiant, uncompromising, and headstrong, he bore with a sulky composure on his seven-fold shield of theology all the lighter shafts of contemporary ridicule; and went on, like a rhinoceros through staves and stones, to the accomplishment of his solemn purpose. In his large, bushy eyebrows, bent solemnly on the earth, and his ponderous lips, scarcely ever opened but for a dogma or an anathema—in his sallow features, spread over a capacious head, the signs of the times seemed visibly imprinted; and fresh hopes, at every time he struck the ground with his heavy cane, appeared to be conjured up by the modern Thaum-

turgus for the glory and regeneration of Catholic Ireland. He was an odd but an excellent character. Every fool could see his eccentricities; the learned and discerning alone could justly estimate his many admirable attributes—his ardent zeal—his deep erudition—his unquestionable integrity—the goodness of his heart and the vigour of his intellect. It is lamentable that so sturdy and sincere a champion of the Catholic cause should not be better remembered.

Lord Fingal has arrived—he enters the theatre amid welcoming shouts; but though called by acclamation, declines to take the chair. In his manners he is a perfect gentleman—in his character he is the incarnation of deception. Every one admires his mild and placid countenance. No one suspects that he has this morning received private instructions from Robert Peel, secretary of Ireland. Yet, in laying his hand on his hollow heart, as he bows his thanks to the applauding populace, he presses the pocket which contains those instructions. He is heard in respectful silence, interrupted by applause. “The Catholic cause is completely interwoven,” he says, “with that of the empire at large, and the success of the one is the triumph of the other, and the failure of the one is the downfall of the other.” When his lordship sits down, up rises Mr. Burke of Glynsk. He says that the tone of the Catholics has been the subject of censure; “but if the slave, agonizing under his chains and stripes, utter a groan, is it not inhuman to visit on his fellow-bondsmen, who are mute, the exclamation which is wrung from his misery?” Burke proceeds, after some additional remarks to submit the resolutions to the chairman.

The discussion which took place at this meeting will only be intelligible when the reader understands that early in 1813 Henry Grattan, in the imperial parliament, introduced a bill which kindled a flame of rage and indignation through the length and breadth of Ireland. That bill consisted of four parts. It began by conceding the right to sit in parliament; it, secondly, communicated the privilege of voting at elections for members of parliament; thirdly, it gave to the Catholics corporate rights; and, fourthly, it also opened to them civil and military offices. This bill professed at once to give Emancipation to Catholics and securities to Protestants. The securities were as follows: as the office of lord chancellor comprises a good deal of ecclesiastical patronage, the bill withheld from Roman Catholics that office, as well as the lord lieutenancy, but the principal security was a new oath, by which the Catholic abjured the alleged regicidal and deposing power of the

Pope, the temporal authority and infallibility of his Holiness, and the principle that no faith was to be kept with heretics. By this oath the Catholic deposed that he would support the Protestant succession and the existing state of Protestant *property*; that he would discover all plots and treasons which came within his knowledge; that he would not make use of any power he obtained in the state either to its injury or the overthrow of the Protestant Church; and that in the nomination of any Catholic bishop or apostolic vicar, no man should be chosen of whose loyalty and tranquil disposition he was not convinced; and the clergy were also to swear, that in the election of persons to be recommended to the apostolic functions, they would never choose any person whose loyalty and conduct were not known to them.

The "securities" above recited were a series of brutal insults, which could only be suggested by ferocious intolerance and submitted to by slavish despair. Accordingly, a fire was kindled by these propositions which raged through the island like a conflagration in a forest. The bill introduced by Grattan was an apple of discord thrown into the Catholic camp. The Catholics were rent into conflicting factions by its "securities." All the aristocracy approved of it heartily—and Grattan said very truly that his bill was satisfactory to Catholics. As the capture of our Redeemer was doubtless satisfactory to Judas, the bill in question was satisfactory to the Killeens, Trimlestons, and Bellews. The whole metropolis—indeed the entire island was wrangling about this bill. It was talked of at corners, discussed by the fireside, canvassed at chapel-doors, and alluded to in the pulpit. Everywhere it was the topic of discussion. But what swelled exasperation to fury was the Canning clauses. Canning had suggested clauses additional to those already specified. He proposed that no Roman Catholic bishop should in future be appointed without a certificate of loyalty from five English or Irish peers appointed by the crown. All bulls or briefs received from Rome were to be submitted to the examination of commissioners consisting of the same peers, two Roman Catholic bishops, the lord chancellor, and one of the secretaries of state, with a proviso that they should be bound not to betray the secrets of the Catholic Church. These clauses met the approbation of Grattan, who thought they were liberal and ought to be received. They produced a prodigious sensation in Ireland. The truth was, that Canning in these clauses was shaping the way for the realization of a project of Pitt's. "With respect to the Catholics of Ireland,"

said Pitt, "an additional security, and one of which the effect will continually increase, might be provided by gradually attaching the Popish clergy to the government, and for this purpose making them dependent for a part of their provision on the state, and by also subjecting them to superintendence and control." With reference to the Canning clauses, it was argued that though the five noblemen, appointed as necessary guarantees of episcopal candidates, might in the first instance be unexceptionable persons, yet who could say that those who succeeded them would not be as hostile to Catholicity as the king who appointed them? Who would guarantee the integrity of the future guarantees? The Catholic clergy, meantime, would ascend the scaffold and submit to the axe rather than submit to the provisions of this bill. They viewed it with horror. It was denounced by Dr. Troy as worse than the *Veto*. It would render the Irish Church the abject victim of the sordid, insatiable, and implacable tyranny of the British peerage. "Our prelates," said O'Connell, "would no longer be the respectable characters in which we now revere everything that is virtuous and venerable—they would at least have more temptations to become otherwise; and if ever they should degenerate into the tools of the minister—then should I consider the doom of Ireland as sealed for ever."

This bill was canvassed in the Catholic Board, and censured with severity as containing theological blunders, and as exhibiting legal ignorance. The Board denounced the exclusion of Catholics from the office of lord lieutenant and chancellor as based on a principle of intolerance which Irish Catholics refused to recognize. It was severely reprehended likewise as leaving farmers open to pillage and rapacity under the title of vestry-cess and church-rates—impositions grievously felt by the cottiers, peasantry, and farmers of Ireland. It did not open the corporations nor the colleges to Catholics. It failed to admit them to the bench, and shut in the face of Catholic wealth and probity the offices of directors of the bank of Ireland, masters in chancery, &c.; in its principles it was restricted, in its provisions it was inadequate, and in its expressions dubious, unsatisfactory, and vague. Finally, the Board determined, on 22nd May, 1813, to send delegates to London to consult with their advocates in parliament, and watch the progress of the bill.

This bill, which had issued—at least in part—from the brain of Mr. Canning, though abhorred by the Catholic people, was much admired by their aristocracy. The people regarded it

as a specimen of brutal insolence—of tyrannical and arrogant assumption, such as had been rarely put forward under pretences equally mendacious. The Catholic lords considered it as liberal in its nature, and such as ought to be received. But the bishops of the Irish Church differed with the aristocracy, and denounced the bill. “Its clauses,” they said, “were utterly incompatible with the discipline of the Catholic Church and with the free exercise of their religion; without incurring the guilt of schism, they could not accede to such regulations.” Not content with this, the bishops issued an address to the Catholic laity condemnatory of the bill. In this address, which they confided to O’Connell, they said that if carried into effect, it would “invade the spiritual jurisdiction of the supreme Pastor. . . . It had not, and never could have their concurrence.” “For this determination the Catholic prelates deserve,” said O’Connell, “the eternal gratitude of the Irish Catholics. Nothing,” he added, “but mischief and degradation could have resulted from the commission which was proposed in this bill. This hopeful commission—this charter of emancipation (laughter) was to be framed by his Grace the Duke of Richmond—and upon whom is it likely that his choice would fall? Even before his selection commenced, you were certain of having as president of this commission that ludicrous enemy of ours who has got in jest the name he deserves in earnest—of *Orange Peel*. A raw youth, squeezed out of the workings of—I know not what factory in England; who began his parliamentary career by vindicating the gratuitous destruction of our brave soldiers in the murderous expedition to Walcheren, and was sent over here before he got rid of the foppery of pertumed handkerchiefs and thin shoes—upon the ground, I suppose, that his talent for vindication might be useful to the administration of Ireland. In short, he was a lad ready to vindicate anything.”

When this pernicious and revolting bill was thrown out, the enemies of the Catholic Church were filled with unfeigned regret. This poignant sentiment of disappointment Lord Trimleston expressed relative to this bill, which, under the false pretext of emancipating them, would have heaped on the Catholics a complex mass of ponderous chains. The words of Lord Trimleston deserve the close attention of the reader, because they throw on the fraudulent and mischievous conspiracy of which he was the dishonest agent a clear and startling light. He said: “On the day I had last the honour of presiding over you, when my heart indulged the most cheering

hopes, I would have smiled with pity had any prophetic voice announced the failure of the measures then in contemplation for the happiness of Ireland." If the reader will bear in mind that the collective wisdom of the venerable prelacy, the keen sagacity of Daniel O'Connell, and the unsophisticated honesty of the sincere populace, had equally flouted and repudiated the mocking insolence of this "Relief Bill," he will be able to appreciate the wily hypocrisy—the polished craft of Lord Trimleston. "When I transmitted your last resolution to our tutelary genius," he added—"to the immortal patriot (Grattan) who fills every Irish heart with gratitude, I flattered myself that I should have to congratulate you this day on the favourable decision of the House of Commons on a bill of freedom rendered illustrious by the name of Grattan. Alas! the bright prospect has vanished—the horizon is overcast with portentous clouds, and despair weighs me down. But hold! Why should we sink under the blow when there is still so much cause to expect that futurity keeps for us a better fate in store. All is not lost, gentlemen. After many years of unremitted labour, Mr. Grattan—seconded by the talents of a Canning, the unrivalled eloquence of a Plunket—has succeeded in proving the principle that the emancipation of the Catholics is not incompatible with the safety of the constitution. A bill was prepared by a committee of our friends, wherein my Lord Castlereagh co-operated in a manner which does credit to his judgment as well as to his great political abilities. Unfortunately for his lordship and for us, he had to contend with the prejudices and fears of the English ministry. . . . I cannot believe, gentlemen, that your feelings are so blunted by long sufferings as not to operate strongly in your breasts; but let me conjure you not to give way to their acuteness. Let us feel our misfortune like men, but bear it also like men. Let us impress our mind with this important truth—that firmness and prudence in conduct and moderation in debate can alone insure future success; whilst a contrary mode of action must defeat the zealous endeavours of our many friends in parliament to emancipate the Catholics of Ireland."

The loathsome hypocrisy of this unscrupulous nobleman, who had the impudence to eulogize Lord Castlereagh—the crocodile tears which he affects to shed over the fragments of this hateful, torn, and rejected bill, must have filled O'Connell with unmixed though suppressed indignation. The answer of O'Connell was worthy of his reputation. It consisted in reading the bishops' pastoral address "to the clergy and laity of

the Roman Catholic Church in Ireland." In this address, which their lordships confided to O'Connell—and which was "fraught," as O'Connell said, "with as much wisdom as piety—remarkable for talent, moderation, and meekness"—their lordships stated, "That having seriously examined the copy of the bill lately brought into parliament, purporting to provide for the removal of the civil and military disqualifications under which his majesty's Roman Catholic subjects labour, we feel ourselves bound to declare that certain ecclesiastical clauses, or 'securities,' therein contained, are utterly incompatible with the discipline of the Roman Catholic Church and with the free exercise of our religion." This proved clearly that the bishops deserved the thanks and gratitude of the people. O'Connell was desirous, by a public vote, to express that gratitude. The pertinacity with which the aristocratic party fought against this vote was very suggestive. Every nerve was strained by Sir Edward Bellew and his brother to deprive the bishops of this vote of thanks. He harangued for hours against it. He could not deny that the pastoral address was opposed to the bill, but he argued that the bishops were equally opposed to themselves, that their former views contradicted their late opinions, and that therefore the Catholics were warranted in turning their back on the bishops! Sir Edward Bellew was anxious to please Canning, or to please Castlereagh, or the aristocracy generally; and therefore he openly rebelled against the Irish bishops, and sought to sweep the whole Board into the vortex of his revolt. Schism had no terrors for Sir Edward Bellew. He would rend Ireland from the Holy See, and make shipwreck of its faith to win the approbation of that dark confederacy against human freedom—the British peerage! O'Connell's motion was to this effect: "That the respectful thanks of the Catholic Board be given to the Most Reverend and Right Reverend the Catholic Prelates, for their *communication* to this Board, and for their ever vigilant and zealous attention to the interests of the Catholic Church in Ireland."

When Major Bryan had seconded this motion, the red head and twinkling blue eye of Peter Bodkin Hussey popped up to amend it. He would cut off from the resolution all the words that follow "communication"—he would strip the bishops of the merit of "vigilance"—and this for a reason that deserves attention. Canning's clauses were censured by the bishops, and Hussey's object was to defend the clauses from censure. In short, war with the hierarchy—covert war—was the design of this crafty speaker. But Hussey did not strip off the

mask and fling it away, like Sir Edward Bellew. He was only preparing for the open rupture which it was hoped the titled dignity of the baronet would craftily effect. Hussey said the clauses condemned by the bishops had not been investigated by the laity, and before ratifying that condemnation, the Board should consider what it was their lordships condemned.—In applauding the bishops' vigilance, O'Connell's resolution denounced the clauses; and it was by no means certain to Hussey that they should be denounced.

The next speaker was William Bellew, brother to the baronet. This man, as he rose, had a Caius Marius look. Of him we might say, as of the ancient patrician,

“Seldom he smiled, or smiled in such a sort
As if he mocked himself, and scorned his spirit
That he should smile at all.”

His person was tall and lank, his movements slow and solemn, his features austere and repulsive, his utterance sustained and measured, his attitude perpendicular and haughty, his look concentrated and piercing, his bearing grave and meditative. The deliberation of his tones and the arrogance of his bearing produced a kind of awe in vulgar spectators. He resembled Don Quixote as he sailed through the Board, with his frozen and rugged exterior, spectral aspect, lofty demeanour, and saturnine air. It was said of him, that if in his morning walk from Great Charles-street to the Four Courts, he saw a man hanging from every lamp-post down Capel-street, he would merely ask in grave and measured accents, unbroken by emotion of any kind, “whether they were hanged according to law?” We must always understand that Mr. Bellew was as nice and touchy on the point of honour as a Spanish Don. “Touch my honour, touch my eye” was his motto.

“According to the bishops,” said this haughty aristocrat, “the bill is incompatible with the discipline of the Catholic Church. Why? Because a bishop, after his consecration and appointment to a diocese, must be presented for a certificate of loyalty. This arrangement would, they say, be incompatible with the discipline of the Catholic Church, as the government would not allow the dignitary to officiate until he had furnished himself with his certificate.” This humiliation of the prelate, Counsellor Bellew had a remedy for. He would give the certificate to the dignitary before he was consecrated, “which would entirely remove the objection.” The profound disregard which the Catholic aristocracy secretly entertained for the Catholic hierarchy is evinced by the willingness of the

Bellews to subject he prelates to the degradation of "suing out a certificate of loyalty." The bishops, like the apostles, were men of humble origin; the origin of the Bellews was baronial—which may account for that disregard. Be this as it may, Counsellor Bellew denied that the bishops were entitled to the thanks of the Board, or the thanks of anyone. They did not, as he alleged, manifest a desire to forward the bill, to conciliate all parties, and remove all objections. They did not "state their objection candidly," nor point out the easy means by which it might be removed, though he himself had communicated to them that ready method. "They have anxiously—I might say, gladly availed themselves of the objection, and studiously kept back from suggesting the easy means of removing it of which they cannot plead ignorance. Is it for this conduct we are to express approbation? Have the lord lieutenants and Protestant visitors to Maynooth," he asked, "manifested an anxious disposition to obstruct the exertions of the Catholic trustees and visitors for the welfare of that institution, and to introduce Protestantism through the medium of profligate and anti-Catholic presidents? No, my lord—the very reverse has been their conduct; the College of Maynooth has existed now for a period of eighteen years, during which time there have been six successive presidents, all of whose names have successively been sent, on their nomination, to the lord lieutenant's secretary for the approbation of the lord lieutenant. In no one instance has any lord lieutenant interfered. My lord, let me ask, can any fair, unprejudiced man discover in the conduct I have detailed, as observed by the lord lieutenant and the Protestant visitors, anything to justify the dreadful alarms which our bishops tell the Catholic public are to be apprehended from clauses introducing Protestant interference in some of the transactions that concern our spiritual superiors. And will not any fair, intelligent man discover, on the contrary, everything to produce a reasonable confidence that the arrangement in question will be honestly and honourably acted on?" Not content with attacking the bishops, Counsellor Bellew attacked O'Connell, whom he denounced as "leading the Catholics to consider everything Protestant as odious, and everything English as oppressive. I cannot omit expressing my regret," added Mr. Bellew, "at that spirit of dictation which has too often prevailed in our discussions, and which to me appears not becoming in persons making applications to the legislature. It does not appear to me politic or wise, while petitioning for political privileges to

hurt the prejudices of a legislature exclusively Protestant. I do not think any person degrades himself, or at all descends from a proper consciousness of the respect due to him, by letting a spirit of deference and respect appear manifest in all his dealings with the legislature."

O'Connell answered very ably. "The speech that Counsellor Bellew has delivered is one of much talent, labour, and preparation." Counsellor Bellew—"I spoke extempore."

"I have no skill in prophecy," said O'Connell, "if we do not see that very able speech in precisely the same words, *verbum verbo*, in the newspapers to-morrow morning. He began by demanding your attention, because he has rarely addressed you. It reminds me of the English officer's prayer when going into battle: 'Great Lord,' said he, 'during forty years I never troubled you with a single prayer; I have therefore a right to be heard on the present occasion.' He begs you to confide in his zeal for your interests because he has hitherto confined that zeal to his own. Quite different are my humble claims to your notice. I humbly solicit it because I have sacrificed my interest to yours, and sought for Catholic Emancipation with an activity and energy proportioned to the great object of our pursuit. His discourse was divided into three principal heads. First, he alleges that the Catholics are attached to their religion with a bigoted zeal. I admit the zeal, but I utterly deny the bigotry. Well, having charged the Catholics with a bigoted attachment to their Church, he stated that those feelings, on our part, justified the apprehensions of the Protestants. The Catholics, said Mr. Bellew, are alarmed for their Church; why should not the Protestants be alarmed also for theirs? The Catholic, said Mr. Bellew, desires safety for his religion; why should not the Protestant desire security for his? and he concludes that it is natural and justifiable in the Eldons and Liverpools to insist upon vetoes and securities, boards of control and commissions of loyalty. And now see how futile his reasoning is. He says that our anxiety for the preservation of our Church vindicates those who attempt to protect *their* religion by the proposed securities—a mode of reasoning perfectly applicable if we sought any control over the Protestant Church. But the fact does not bear him out; for we do not seek, nor desire, nor would we accept of any kind of interference with the Protestant Church. We disclaim and disavow any kind of control over it. We ask not nor would we allow any Catholic authority over the appointment of their Protestant clergy. Nay, we are quite content to be excluded for ever

from even advising his majesty with respect to the rights, properties, or privileges of the Protestant Church. I declare most solemnly that I would feel equal, if not stronger repugnance to Catholic interference with the Protestant Church, than that I have expressed against Protestant interference with ours. If the Catholic sought control over the religion of the Protestant, I would not only feel for the Protestant and speak for him, I would cheerfully sacrifice my life in the defence of the great principle for which I have ever contended—the principle of universal and complete religious liberty (loud and repeated cheers). It is absurd to say that because the Catholic is desirous to preserve the freedom of his religion, the Protestant is justified in seeking to enslave it. But, said Mr. Bellew, the Protestants have a right to demand, because they stand in need of securities. I deny the right—I deny the need. There is no such right—no such necessity. What security had the English from our bishops when England was invaded—when the unfortunate but gallant Prince Charles advanced into the heart of England, guided by valour and accompanied by a handful of brave men, who under his command obtained more than one victory? He was a man likely to excite and to gratify Irish enthusiasm—he was chivalrous and brave; he was a man of honour and a gentleman—no violator of his word; he spent not his time in making his soldiers ridiculous with horse-tails and white feathers; he did not spend his morning in tasting curious drams, and his evenings in gallanting old women. What security had the English then? What security had they against us when America nobly flung off the yoke that had become too heavy to be borne? What security had they then? I will tell you: it consisted in the conscientious submission to legitimate authority, however oppressive, which our bishops have always preached and our laity always practised. The English do not dislike us as Catholics—they simply hate us as Irish. They exhaust their blood and treasure for the Papists of Spain; they have long cherished a close alliance with the ignorant and bigoted Papists of Portugal; they emancipated the French Papists of Canada; and a German Papist is allowed to rise to the first rank in his profession—the army. He can command not only Irish but English Protestants. There is no such horror of Popery in England as is supposed. They have a great dislike to Irish Papists; but put the filthy whiskers and foreign visage of a German on the animal—and the Papist is entitled to high favour from the discriminating English. We fight their battles; we beat their

enemies; we pay their taxes—and we are degraded, oppressed, and insulted (loud applause); whilst the Spaniards, the Portuguese, the French and German Papists are courted, cherished, and promoted. I revert now to the learned gentleman's accusations of the bishops. He has accused them of error in doctrine and indiscretion in practice. He tells us that he is counsel to the College of Maynooth, and in that capacity he seems to arrogate to himself much theological and legal knowledge. I concede the law, but deny the divinity. I was indeed at a loss to account for the strange want of talent—for the silence of Irish genius which has been remarked within the College. I now see it explained. The incubus of jealous and rival intolerance sits upon its walls; and genius, taste, and talent fly from the sad dormitory where sleeps the spirit of dulness. It is true, the bigot may rule in Trinity College; but still there is no conflicting principle of hostile jealousy in its rulers; and therefore Irish genius is not smothered there as in Maynooth. The matter stands thus—at one side we have the Catholic prelates of Ireland, who assert there is schism in the proposed arrangement; on the other side we have the very erudite counsel for the College of Maynooth, who asserts that there is no schism in that arrangement. As we have not leisure to examine the points doctrinally, we are reduced to the sad dilemma of choosing between the prelates and the lawyer (laughter and cheers). There may be a want of taste in the choice—but I confess I prefer the bishops. I believe with the reverend prelates that the arrangement would produce schism. But if it did not, it would produce worse—corruption, profligacy, and subserviency to the Castle." We need scarcely say that O'Connell triumphantly succeeded in carrying his motion.

The preceding discussion may not interest the general reader, but to Sir Edward Bellew and his brother it was profoundly interesting. It interested them because they were publicly scourged by O'Connell, and because they were secretly promised an ample reward by a scheming aristocracy. On that day fortnight the aristocracy privately bestowed on Counsellor Bellew a secret pension of £200 a-year. It was a good day's work. We learn from this that a highly honourable member of an aristocratic family may be persuaded to rebel, in open day, against the mitred prelates of his Church for £200 a-year—paid quarterly. This is the market value of the article; and if we bear it in mind, the circumstance may throw light on subsequent complications. Counsellor Bellew was in

receipt of this pension for six years before it became known. O'Connell finally discovered it. Six years after the preceding debate, a list of the private pensioners was wrung from the government by the English reformers. O'Connell ran his eye along the columns, and discovered the name of Bellew with £200 a-year attached. This was not the only pension he enjoyed. The assistance which he rendered in carrying the Union was rewarded with the promise of the chairmanship of a county. The place of assistant-barrister became vacant; Lord Castlereagh was reminded of his engagement—when, behold! a petition signed by the magistrates of the county to which Mr. Bellew was about to be nominated, was presented to the lord lieutenant, praying that a Catholic should not be appointed to any judicial office, as they would not act with him. The government affected to be a good deal embarrassed by this notification, which they had themselves probably suggested. The fastidious conscience of Lord Redesdale shrank from paying £400 a-year to a Roman Catholic—even though a traitor to his coreligionists. “What!” exclaimed Lord Castlereagh, towering in what seemed to be virtuous indignation. “Not reward Mr. Bellew! You shock me, my lord! The Union promises must at all hazards be kept.”

In order at once to fulfil the spirit of their nefarious contract, and not to give offence to the Protestant magistrates, a pension very nearly equivalent to the salary of a chairman—£300 a year—was given to Mr. Bellew; and he was put in the enjoyment of the fruits of the office without the labour of cultivation. That it was reprehensible to tax the people with an additional pension, in order to reward an unprincipled miscreant who had deceived and betrayed the people, cannot, we think, be questioned. This, however, is one of the necessities of a government which is fundamentally fraudulent—which, professing to be representative or constitutional, is in reality a rapacious and unprincipled aristocracy. William Bellew was a member of one of the most distinguished Catholic families in Ireland. There was formerly a peerage attached to the name, which was extinguished in an attainder. A baronetcy was retained. His father, Sir Patrick Bellew, was distinguished for that species of wasteful and disastrous hospitality by which many a fine estate was ingloriously dismembered. William Bellew was one of the first Catholics called to the bar; and as he represented the Catholic gentry, and was supposed to take a decided lead in their proceedings, his first appearance in the Four Courts attracted much attention. His disgraceful trea-

chery proves in the most unmistakeable manner the danger—not to say ruin, which must result to the popular cause when the people confide its management to any member of a titled family. The aristocracy are members of a confederacy, to the interests of which they will always sacrifice the interests of the people at large. Such men are invariably actuated by mean and dishonest motives. They either enjoy pensions, or expect them. Among other evidences of their nefariousness, the Catholic aristocracy, to a man, supported the Union.

Counsellor Bellew came with signal advantages to the bar. He was closely connected with the oldest and most opulent Catholic families, and was employed as their domestic counsel. Their wills, their purchases, and marriage articles, were drawn under his inspection. No man at the bar was more exact, careful, technical, and expert in conveyancing, than Mr. Bellew. He at one time monopolized the whole Catholic business. He was one of four Catholic barristers who received pensions in 1793.

The Irish parliament, in 1793, passed an act for the relief of the Irish Catholics. The first Catholics who availed themselves of this statute were Mr. Bellew, Mr. Lynch, Mr. M'Kenna, and Mr. Donnellan : they became barristers in virtue of that Relief Bill. Such was the alarm with which their legal ability filled an aristocracy which was profoundly corrupt, that every one of those gentlemen was provided for by government. Mr. Donnellan obtained a place in the revenue ; Mr. M'Kenna wrote some very clever political tracts, and was silenced with a pension ; Mr. Lynch married a widow with a pension, which was doubled after his marriage ; and Mr. Bellew, the day he rose in the Catholic Board to inveigh against the Catholic prelates, was in the receipt of £600 a-year, paid to him quarterly at the treasury. This damning fact once known nullified the effect of his political oratory. No matter how well Mr. Bellew argued his point at a Catholic assembly—no matter how cogent his arguments in favour of a more calm and moderate tone, the moment O'Connell raised his arm and exclaimed in that deep, clear, and melodious voice which once heard can never be forgotten, “*I thank God I am not a pensioner,*” the syllogisms of Mr. Bellew vanished like smoke, and a storm of shouts, and screams, and groans of hatred assailed the government retainer on every side. Had he the eloquence of Demosthenes, the clinking of the gold would be heard amid the thunder.

The secret object of Mr. Bellew's speech, for which he re-

ceived £200 a-year and the execrations of every honest man, was to Presbyterianize the Irish Church—to introduce what Dr. Troy truly termed “a kind of lay eldership unknown in our Church government”—a close, summary, absolute, and inquisitorial commission or board of five lay lords. Into this commission no member of the hierarchy was to be admitted—an exclusion which was deeply resented as an insult to the venerable prelates of our Church. When the incurable corruption—the profound immorality of the aristocracy is taken calmly into consideration, the uneasiness and alarm which ran through the clergy and laity of Ireland cannot be wondered at. It should be borne in mind that this brutal insult was offered to the Church when the Sovereign Pontiff was a prisoner—a circumstance which deepens alike its meaning and its malice. Owing to this melancholy state of the Pontificate, the government in addressing the Catholic hierarchy adopted a tone of overbearing insolence which is inconceivable at present. Thus, Canning with incomprehensible puppyism objected to the word “protest,” which the Lord Bishop of Dublin, Dr. Troy, made use of in communicating with the government, adding that “it was for the parliament to decide what terms should be conceded to the Catholics—it was not for the Catholics to dictate terms to the parliament.” In his reply, Dr. Troy assured Mr. Canning “that in using the word *protest* he did not intend any disrespect or dictation to parliament or to Mr. Canning; and that if his brethren should deem it expedient to approach parliament, they would do so respectfully and in the language of petition.” The protest which Mr. Bellew delivered against “dictation,” received some light from this circumstance. It seems to prove that Mr. Bellew not only received the money, he received the instructions of the aristocracy. Let us quote Dr. Troy’s admirable reply to him: “I cannot decline on this occasion to remark on the learned gentleman’s assimilating, in some degree, the members of a mixed inquisitorial commission to the board of trustees of Maynooth College, who are seventeen in number—all Catholics, and of whom eleven are prelates. The college is not of divine institution, but established by regal and parliamentary authority, and is governed by human laws and regulations according with the discipline of the Catholic Church. Catholic bishops, agreeably to the present long-established discipline, derive their mission from the supreme pastor and governor of the Church, the bishop of Rome—and not from any lay authority whatsoever, which cannot, except by privilege from the Church, interfere in their

election or appointment. The visitors of Maynooth College are seven, including a Catholic peer and two prelates, and are prohibited by law from interfering with the doctrine or discipline of the Catholic Church. The proposed absolute inquisitorial commission would introduce schism by separating bishops from the head pastor, and eventually undermine the Irish Catholic hierarchy. Such a prospect must surely fill the mind of every good Catholic with consternation and dismay."

It was evidently the object of O'Connell to mould the Catholic Board into a distinct government within the realm—to restore to his widowed country, defrauded of her dignity, the shadow, if not the substance of an independent legislature. This was obviously the secret intention of O'Connell—to make the Catholic Board the depository of Catholic complaints and the avenger of Catholic wrongs—an Irish government, systematically organised not only to convey petitions to parliament, but to form alliances with parliamentary parties, and send out ambassadors to foreign states—endowed with the power to wield at will the headlong passions and the physical force of the Catholic part of Ireland—to give plan and form to the whole mass of religious discontent, and turn the whole tide of popular prejudice against the prince or noble who opposed Emancipation, or to raise him aloft to the admiration of the community if he furthered their freedom—in short, to perform all the acts of an independent government, and stretch out its arms, if necessary, to foreign states, that they might espouse its cause, recognise its existence, and support it against its oppressors.

The Catholics hinted in their newspapers that Wellington—then fighting in the Peninsula—had designs upon the crown of Spain, and to further his purpose was preparing to turn Catholic. The effect, if not the object of this rumour was to sow dissension between the governments of Spain and England.* In another newspaper the Orangemen were menaced with ruin in their trades.† This was a very important movement, for the Orangemen are the Irish garrison of English power. They are artizans, whereas the great mass of the Catholics are agricultural labourers :

“Men to much misery and hardship born.”

This is one of those melancholy consequences which invariably follow subjugation. When a nation is conquered, its monarch dethroned, its chiefs slain—its working-men are degraded into agricultural drudges. Like the afflicted Hebrews in the

* “Annual Register.”

† *Ibid.*

bitter bondage of Egypt, they are compelled to adopt the most painful and unprofitable species of toil. They are shoved out of the workshops, and pushed aside from the loom, and hustled forth in tatters upon the bleak moor or the houseless wild, to confront the storm—to shiver in the freezing rain or cower in the driving hail—exposed, in short, to all the vicissitudes and inclemency of the weather ; tending cattle for a despicable pittance, or turning the soil for a spare and starveling sustenance. On the other hand, the favoured countryman of the victor, with his children clustering round his hearth and cheering him with their infantile voices, plies the shuttle or moulds the vase sheltered by a warm roof, which defies the fury of the wintry tempest. No man feels so painfully as the working-man the bitter results of national thralldom—it enters his very marrow. He sees it in his shabby raiment—he tastes it in his stingy viands—he feels it in his sordid, base, and ill-requited toil. Everywhere he feels it. It plunges him into penury at home—it brands him with ignominy in foreign lands. To others it may be an affliction—to the working man it is a curse. This melancholy punishment was inflicted on the Catholic inhabitants of Ireland, while the Orangemen were exempt from this infliction. Manufacturing industry, which has been swept out of the other parts of Ireland, has been tolerated by England in the north, to reward the Orangemen for acting as jailors and torturers to the rest of the population. It would be very legitimate on the part of the Catholics to take measures for beggaring the Orangemen—to tame by want the wild beasts that ravened for their blood. As the Orangemen are the garrison of England, it would be a wise policy to endeavour to deprive that garrison of its pay. No one can suppose that men so selfish would serve the British crown a single moment after the loss of that manufacturing prosperity which constitutes at once their subsistence and reward. The aristocracy might set very little value on Catholic life, but the Orange linen-weavers set no small value on their Spanish market. It would be therefore a wise policy on the part of the Catholics to paralyze the hand that shed their blood, by cutting off the supplies that lent vigour to their persecutor.

“The Orangemen” said O’Connell, “are the sworn enemies of Ireland, and naturally enough have ratified their alliance with England. But let us recollect that our own tradesmen are starving. Let them go to war with you ; do you content yourself with going to law with them. If they dare to attack the wealthy Catholic—a proceeding they are generally too pru-

dent to adopt—the wealthy Catholic can protect himself. If they attack the poor, we are bound and willing to procure protection for him; on his behalf the protection of the law shall be exerted. I am able to promise it, because the Catholic Board has the rich treasury of the Irish heart to draw upon, in order to procure the funds necessary to afford this protection. Can anything be more beastly than the conduct of Lord Kenyon, who is now organizing Orange lodges? Why does not the animal see that the principle of exclusion might have prevented him from being a lord—that he has escaped into sinecure places, property, and peerages, by the accident of his father's creed? For instance, if his father, who was a common writing-clerk to an attorney—if he had by accident been a Papist, the present Lord Kenyon, instead of being a peer, would most probably have been a private soldier or a peasant—or, at the utmost, by a timely conversion from the errors of Popery, he might have arrived at the dignity of being the first preacher and highest bouncer of some society of Welch jumpers (laughter). Yes, my Lord Kenyon, if he had a particle of understanding, would feel that his Orange exertions expose the upstart only to the contempt of a people whom he may oppress, but of whom he would not dare personally to insult the lowest individual.

I have got in my possession a document which demonstrates the vulgar and lowly origin, as well as the traitorous and profligate purpose of this Orange society. It has been repeatedly sworn to in judicial proceedings, that the original oath of an Orangeman was an oath to exterminate the Catholics. In some years after the society was formed, men of a higher class of society became members of it; and being too well educated to endure the plain declaration to exterminate, they changed the form of the oath to its present shape, but carefully retained all the persecuting spirit of the Armagh exterminations. The document I allude to was printed for the use of the Orange lodges; it was never intended for any eye but that of the initiated, and I owe it to something better than chance that I got a copy of it. It was printed by William M'Kenzie, printer to the Grand Orange Lodge in 1810, and is entitled 'Rules and Regulations for the use of all Orange Societies, revised and corrected by a Committee of the Grand Orange Lodge of Ireland, and adopted by the Grand Orange Lodge, January 10th, 1810.' I can demonstrate from this document that the Orange is a vulgar, a profligate, and a treasonable association. To prove it treasonable, I read the

following, which is given as the first of their secret articles: 'That we will bear true allegiance to his majesty, his heirs, and successors, so long as he or they support the Protestant ascendancy' (hear, hear). The meaning is obvious—the Orangeman will be loyal just so long as he pleases. The traitor puts a limit to his allegiance suited to what he shall fancy to be meant by the words 'Protestant ascendancy.' If the legislature presumes to alter the law for the Irish Catholics, as it did for the Hanoverian Catholics, then is the Orangeman clearly discharged from his allegiance, and allowed at the first convenient opportunity to raise a civil war—and this is what is called a loyal association (hear, hear). Oh! how different from the unconditional, the ample, the conscientious oath of allegiance of the Irish Catholic. I pass over the second secret article, as it contains nothing worthy of observation; but from the third, I shall at once demonstrate what pitiful and vulgar dogs the original Orangemen were. Mark the third secret article, I pray you: 'That we will not see a brother offended for sixpence or one shilling (a laugh)—or more if convenient (a laugh), which must be returned next meeting if possible' (much laughter). Such is the third of the secret Orange articles. I presume even Lord Yarmouth will go with them the full length of their liberality of sixpence or one shilling—but further his convenience may prevent him. The fourth secret article is quite characteristic: 'That we must not give the first assault to any person whatsoever *THAT may bring a brother into trouble*' (laughter). You perceive the limitation. They are entitled to give the first assault in all cases but that in which it may not be quite prudent; they are restricted from commencing their career of aggression unless they are, I presume, ten to one—unless they are armed and the Catholics disarmed—unless their superiority in numbers and preparation is marked and manifest. See the natural alliance of cowardice with cruelty. They are ready to assault you when no brother of theirs can be injured; but if there be danger of injury to one of their brotherhood, they are bound to restrain for that time their hatred of the Catholics, and to allow them to pass unattacked. This fourth article proves better than a volume the aggressive spirit of the institution, and accounts for many a riot and many a recent murder (hear, hear). The fifth secret article exhibits the rule of Orangemen with respect to robbery. '5th. We are not to carry away money, goods, or anything from any person whatever, except *arms and ammunition*—and those only from an enemy.' The rule allows them

to commit felony to this extent—namely, the arms and ammunition of any Catholic or enemy; and I have heard of a Catholic who was disarmed of some excellent silver spoons and a silver cup by a detachment of this banditti. Yes, Lord Gosford was right when he called them a lawless banditti; for here is such a regulation as could be framed only for those whose object was plunder—whose means were murder. The sixth and seventh secret articles relate to the attendance and enrolling of members; but the eighth is of great importance—it is this: ‘8th secret article.—An Orangeman is to keep a brother’s secrets as his own, unless in case of murder, treason, and perjury—and that of his own free-will.’ See what an abundant crop of crimes the Orangeman is bound to conceal for his brother Orangeman. Killing a Papist may, in his eyes, be no murder—and he might be bound to conceal that; but he is certainly bound to conceal all cases of riot, maiming, wounding, stabbing, theft, robbing, rape, house-breaking, house-burning, and every other human villany, save murder, treason, and perjury. These are the good, the faithful, the loyal subjects! They may, without provocation or excuse, attack and assault—give the first assault, mind, when they are certain no brother can be brought to trouble. They may feloniously and burglariously break into dwellings, and steal, take, and carry away whatever they will please to call arms and ammunition. And if the loyalty of a brother tempts him to go a little further, and to plunder any other articles, or to burn the house, or to violate female honour, his brother spectators of his crime are bound by their oaths to screen it for ever from detection and justice (hear, hear). I know some men of better minds have been, in their horror of revolutionary fury, seduced into these lodges, or have unthinkingly become members of them; but the spirit, the object, and the consequences of this murderous and plundering association are not the less manifest.” The existence of the Orangemen seemed to be threatened with destruction by N. P. O’Gorman.

O’Connell asserted that upon occasions of great importance, when intending to make a speech which should “resound through the world,” N. P. O’Gorman invariably put on a pair of white silk stockings striped with black! Precisely as a storm at sea is indicated by a black cloud in the sky, a tempest in the Catholic Committee was indicated by white silk stockings striped with black on the brawny legs of Counsellor O’Gorman. It was an infallible prognostic. The origin of this custom was not a little remarkable. It is alleged that

when the Catholic deputation waited on Earl Grey, O'Gorman, who attended the deputation as secretary, observed with profound interest that Earl Grey's extremities were sheathed in white silk stockings striped with black. The hosiery of the earl made a deep impression on the fancy of Counsellor O'Gorman—and ever after, upon solemn occasions, a facsimile of his lordship's stockings were seen distended upon the herculean symmetries of the Catholic orator. They constituted his oratorical costume—his battle dress; and it was generally admitted that when spattered with mire and a little seedy in appearance, they were very emblematic of Earl Grey's political proceedings.

A waggish barrister, in a moment of conviviality at an evening party, accused O'Gorman of being a musician. He stoutly denied the charge. "A jury," said O'Connell, "was thereupon impanelled to try the defendant, who persisted in pleading 'not guilty' to the indictment for melodious practices. The jury consisted of Con Lyne under twelve different *aliases*, such as Con of the Seven Bottles, &c. The prosecutor then proceeded to interrogate the defendant: 'By virtue of your oath, Mr. O'Gorman, did you never play on any musical instrument?' 'Never, on my honour,' replied O'Gorman. 'Come, sir, recollect yourself; by virtue of your oath, did you never play second fiddle to O'Connell?' The fact was too notorious to admit of any defence, and the unanimous jury accordingly returned a verdict of guilty."

On some occasions, however, he was not open to this charge. Counsellor O'Gorman moved on the 29th June, 1813, that the Catholic Board should appeal to the Cortes, or parliament of Spain, calling on them to intercede with Britain on behalf of the Irish Catholics. He said that he should find precedents to sanction such a proceeding.

O'Connell said that he had no doubt that his learned friend would be able to find precedents in abundance. "When the people of Flanders were subject to Spain, they appealed to the English, who actually furnished them with arms to resist the oppression that aggrieved them. The Irish Catholics do not require from the Cortes arms to enforce their rights. They only ask for sympathy, and any benefit that can result from a dispassionate remonstrance with Britain. The efficacy of an appeal to foreign powers, was eminently established by the successful interference of Cardinal de Fleury. The parliament of Ireland, it was known to all who heard him, had, for the pure honour and glory of religion and the interest of the

state, resolved upon the Christian-like expedient of emasculating the Irish priests. A bill for this wise, statesman-like, and manly purpose passed the Irish House of Lords and the Irish House of Commons, and was sent over to England for final sanction and approval. The poor people of Ireland, however—bereft of all other succour in such a harrowing and soul-inflaming moment of their degradation and debasement—contrived to have an application made to the famous French minister, De Fleury, for his intercession in their behalf. The appeal was timely and successful. The barbarity was averted; and the lord lieutenant of the day had the painful duty of informing parliament that their wise intentions could not be carried into effect." At an after meeting, O'Connell went on to say "that the Duke of Sussex had made three objections to the appeal to Spain. First—he said it would be going out of the line of Emancipation; second—it would subject the Catholics to unjust imputations from their enemies; and third—it would be an irregular and illegal interference with the executive branch of the legislature." In replying to the amiable Duke of Sussex (who had ingeniously contrived to eat his way, through public dinners without number—mountains of beef, mutton, and pastry—to an exalted popularity, which made him, in the hands of his brethren, dangerous to liberty) O'Connell said, that applying to the allies of England—such as Spain—was quite as legal as applying to the subjects of the same power—such as the synod of Ulster. In this application a foreign power did not influence the Catholics—on the contrary, the Catholics sought to influence a foreign power, which was exactly the opposite of what the opponents of Emancipation pretended to apprehend. The answer to the third was, that though the theory of the constitution might seem to be violated, the appeal to Spain was nevertheless entirely conformable with every day's practice.

Had the appeal to Spain which O'Gorman mooted been united with the movement against Orange industry which we have previously alluded to, the Catholic Board would have crippled, beggared, and degraded that ferocious and intolerant faction whose sanguinary atrocities, fostered by the aristocracy, spread terror through the appalled community and banished concord from the island. If chivalrous Spain, sympathising with her down-trodden sister, had rejected the linens of Ulster, gaunt famine, leading desolation by the hand, would have entered Belfast, and prosperity would have fled from the entire province. The Catholics would have cowed or killed the blood-

hound straining on the leash—held by the jewelled hands of aristocracy—and roaring and ravening for Catholic blood, and ready in a moment to dash at their throats. Deprived of that savage auxiliary, on whom they confidently relied, and which had a thousand times frustrated the Irish in their efforts to attain freedom, the English would have complied with the demands of the Catholics at once. The swaggering loyalty, the idiot admiration of British ascendancy which characterize the Ulstermen, would disappear if their prosperity were jeopardized; from blind partizans, as they are now in 1863, they would become clear-sighted patriots, as they were in 1793; and from steadfast friends, the fiercest enemies of that episcopal church which fleeced the poor, and that aristocratic state which ground, strangled, and extinguished the industry of Catholic Ireland. Even as it was, 130 of the clergy and elders of the Presbyterian church, assembled in solemn synod, declared in favour of Catholic freedom. Had the motives supplied by an enlightened philanthropy received strength from impulses furnished by pecuniary considerations—had they apprehended the loss of their Spanish market, the exertions of the Presbyterians would have been increased a hundred-fold. Ligatures which no foreign power could break—ligatures of gold—would have bound them, heart and soul, to the national interests.

The conduct of the bill of 1813 in the House of Commons was a muddle of mismanagement. The Catholics should have been consulted before it was introduced. Being founded upon certain securities, the bill was of course nugatory unless the Catholics consented to those securities. Far from consenting, however, language seemed unable to express the dismay and abhorrence with which the proposals filled the Catholics.

The Protestants most hostile to Emancipation did not rejoice so loudly at the rejection of the bill of 1813 as the Catholics, for whose relief it was nominally framed. In vain did Mr. Grattan protest in England that the proceedings of the Catholics were misrepresented—that there existed in Ireland no spirit inimical to the bill. The indignation which the bill excited in the Catholic mind caused Counsellor O'Gorman to propose an appeal from the parliament of England to the Cortes of Spain—a resolution which awakened in Britain the utmost astonishment. Here are the words of O'Gorman's resolution: "Resolved—that it be an instruction to the Catholic Board to consider of the constitutional fitness and propriety of sending an earnest and pressing memorial to the Spanish

Cortes, stating to them the enslaved and depressed state of their fellow-Catholics in Ireland with respect to their exclusion, on the score of their religion, from the benefits of the British constitution, and imploring their favourable intercession with their ally, our most gracious sovereign."

This motion was pregnant of advantages to Ireland that are equally beyond calculation and expression; and had it been directed against the linen lords of Ulster and their Orange myrmidons, it would have broken the chains of Ireland, and made her an independent state. Had the Cortes, at the prayer of the Irish, interdicted the sale of Ulster linen in Spain, the pillars which sustain British power in Ireland would have been shaken—the whole edifice would have been overturned. But this was not his object, and therefore he produced no results.

The proposal of O'Gorman, seconded by O'Connell, alarmed the enemies of Ireland—made them quake and jibber in their gilded palaces. Animated by the suggestions of the aristocracy, the *London Courier* prepared to assail the Board. It said, in June, 1813: "Originally established to prepare petitions for the purpose of obtaining what is called Catholic Emancipation, that object seems now to be only one of the objects it has in view. It directs its attention to other subjects of domestic policy. It has its committee of supply—its committee of inquiry. If any event of importance—if any outrage happen in any part of the sister kingdom—in Monaghan, for instance—the Board takes cognizance of it, as if it had either competency or control, or could provide a remedy. The effect of these proceedings in this committee of inflammation is to keep up an irritation in the public mind; to make the public take a wrong view of public measures; to make them suspicious and distrustful of those legal and constitutional bodies to which alone they should look up; to induce them to believe that the legislature and executive do not properly watch over their happiness, and that they have interests distinct from and adverse to theirs; to persuade them to withdraw their confidence from their representatives, chosen according to the constitution, and place them in a body unknown to the constitution—the Catholic Board." Such was the opinion of the literary hireling who assailed the Catholics at the beck of the aristocracy. But the real crime of the Catholic Board was its power as a training school. It developed political talents, produced men of an order too superior to be slaves, nurtured genius, placed a wreath of popularity on the brow of real worth, and exhibited to public notice

the long-neglected treasures of native talent and virtue. Discussions were carried on in the Board by men who were too able, too earnest, and too active to submit to chains and degradation.

The English opposed Emancipation with all their might because they dreaded an invasion of Irish eloquence with which they could not compete. The speech which Mr. Abbot delivered in 1813 seems to demonstrate this view. He deprecated, in a manner which made a profound impression on his hearers, the admission of Catholics into the House, where, he said, "an able and eloquent leader might acquire the most dangerous ascendancy." He declared himself willing that Catholics should be admitted to offices in the navy and army; he was likewise willing that the Catholic soldier should receive protection in the exercise of his religion; but he would never afford an able and eloquent Catholic an opportunity of obtaining in the House of Commons what he termed "a dangerous ascendancy." Mr. Abbot seemed apprehensive lest a Catholic Irishman, such as O'Connell, should obtain in the House that supremacy which a Protestant—Canning—at that moment enjoyed.

The Irish Catholics were never more profoundly agitated and distressed than by Canning's project in 1813, relative to the commission which we have already alluded to.

Canning's object in establishing commissioners to guarantee the loyalty of episcopal dignitaries, was to afford to the aristocracy what Bright has in our day termed "out-door relief." An anecdote will elucidate what we mean. Edgeworth, the father of the novelist, framed, in 1813, a system of telegraphic communication throughout Ireland; and as his only object was the public good, this ingenious man presented his plan in the form of a memorial to the English government. His plan was greatly admired and highly extolled, and thanks were politely returned to Edgeworth—but at the same time he was privately given to understand that notwithstanding its obvious utility, it was liable to one fatal objection—it was too economical and yielded no patronage! The true object of the aristocracy in establishing the commission was to create well-paid places for their own members—to obtain "out-door relief." For purposes of patronage the commission would be very effective, but it could serve effectively for no other purpose. The framers of the bill of 1813 said, in effect, to the Catholic bishops: "True, you are irreproachable men; we believe you to be excellent. But this is not enough—we must also have lucrative berths. It is

not enough that we believe you to be loyal—the people must pay us for certifying to your loyalty. Our object is not to secure the state—it is merely to secure a job!”

At one and the same time Counsellor O’Gorman was making his motion relative to the Spanish Cortes in the Catholic Board, and Counsellor Bellew was receiving the foul reward of his dishonour—the first instalment of his third pension—in the Castle of Dublin. Almost at the same moment, too, the government resolved to weaken the Board by means of the Trimleston party—to shake it by the storm of attack, and undermine it with secession. By withdrawing the props which sustained the edifice, the aristocracy hoped to see the whole pile come down. Bellew had led on an attack by which the government hoped to weaken the influence of the bishops; he subsequently organized a secession by which government hoped to ruin the Board. The “knightly purity” of Bellew, who was in government pay, was highly extolled by newspapers which were themselves in the pay of the government; and as large numbers were influenced by his example, his withdrawal could not fail to injure the Board. This was the object—and here we see the service which an aristocratic government can derive from those aristocratic recruits who join the popular ranks with the view of advancing their individual interests. We see that the more liberal an aristocrat becomes, the more he is to be feared:

“Of noxious creatures—if the learned are right—
It is the slaver kills, and not the bite.”

The blindness of the populace shocked and scandalized the government organs, which were entirely at a loss to know why public opinion should reposit the honesty and disinterestedness of the Board in O’Connell’s party—should place virtue and patriotism on one side, and title and treachery on the other. This the government press could not understand. An article on this subject concludes with these words: “We should wish that Mr. Bellew, notwithstanding his undoubted titles to consideration, had not interfered in Catholic politics. We respect his character, his rank in society, his very superior talents; but, as he happens to be a pensioner, we should much rather see his place filled by another.” The writer seems to forget that if he had not interfered in Irish politics, Mr. Bellew would not have got from government his third pension. He had now £800 a-year, and doubtless hoped to make it £1,200.

There are many statesmen who believe the country must be

saved it they receive £1,200 a-year. It is a peculiar class. Twelve hundred a-year, paid quarterly, is their idea of political science and human nature. To receive £1,200 a-year is opposition. To wish to receive £1,200 per annum is ambition. If a man want to get into parliament, and does not want to get £1,200 a-year, they look on him as daft—as a benighted being. They stare in each other's faces, and ask: "What does Jones want to get into parliament for?" They have no conception that public reputation is a motive power. Mr. Bellew seems to have been one of these. His secession certainly was followed by the ruin of the Board.

O'Connell's capacity to defend the hierarchy was in some degree proportioned to the fearlessness which the bishops displayed in rejecting the Canning clauses. Their courage rose in proportion to his power and energy. He spread the wings of his genius over the flock; and, shielded by his overspreading pinions, the shepherds defied the vultures which were hovering overhead, and watching an opportunity to devour them. It is impossible to calculate the effects which the vigour and daring of O'Connell produced on the councils of the Irish Church. At least, it is highly possible that the bishops would not have spoken out so boldly had they not had a champion like O'Connell to vindicate their proceedings.

O'Connell was assailed by the hostile press for precisely the same reason that Bellew was extolled. "Do you, Counsellor O'Connell," asks a Dublin journal of 1813, "who are the leader of the non-conciliators, who have lately become the sole medium of intercourse between the prelates and the Board—do you, with a grave and serious countenance, tell us that we are culpable because, having been of a certain opinion antecedently to the publication of the bishops' resolution, we did not instantly alter it when these resolutions made their appearance? Say you do, or you do not. If you do not, why should we be condemned by your party? If you do, let us ask you why did you in last May, at Stationers' Hall, proclaim, that if the bishops at their expected meeting should resolve upon disapproving of the clauses, they should have your hearty concurrence; but if they should approve of the clauses, much as you might respect their opinions, they should not have your concurrence? On the 15th May you spoke as follows in Stationers' Hall: 'The Board have been told that the bishops are to meet. I hope that this information will prove correct: I know at least that they ought to meet. If they should not meet—or meeting, should not take notice of the

new arrangements (as they are called) which are attempted to be introduced respecting their order, I know what shall be the duty of the Board; and I am certain the Board will never swerve from that which is its duty. I have heard a great deal about the impropriety of interfering in questions which belong, as it is said, to the bishops to decide upon, and the almost impiety of differing from them. I have heard it said that the laity never have differed from their bishops. The contrary is the fact. They have differed materially twice. Once in modern times, and once at a remote period—in the nineteenth century, and in the seventeenth—on the famous Veto in our own times, and on the famous excommunications at Kilkenny. On both these occasions the laity differed with the clergy—and differed judiciously. What, then, becomes of the assertion that the laity have no right to offer their opinions when they clash with those of the clergy? I contend that upon all occasions connected with public liberty—and such I am satisfied is the present—the people have not only a right, but are called upon to deliver their opinions.’”

The language which the government itself used in the House corresponds in some degree with the conduct of the “Veto Paper;” the language seems to have inspired what the subsidy rewarded. When a petition from the Presbyterian synod of Scotland was presented in favour of Catholic Emancipation, we are told, “Mr. Canning took this occasion of adverting to the priestly tyranny and influence used out of doors to injure the Catholic cause. He was happy to observe the manly disavowment given by resolutions lately published in England, and he hoped that such an example would be followed in another part of the kingdom. If such tyranny were exercised, it was necessary that the Catholics should first emancipate themselves from the oppression of their priests.”

The dishonest nature of Bellev's party in the Catholic Board, and the truth and sincerity of O'Connell, were plainly manifested in the affair of Dr. Milner. That distinguished divine, being an English bishop, had been originally friendly to the Veto; but when the Irish prelates came to the well-known resolutions of 1808, Dr. Milner became the most zealous and indefatigable opponent of the Veto. “He was ready,” he said, “rather to give his blood than to give an un-Catholic sovereign either power or influence in any part of the Catholic Church.” The Irish prelates in synod assembled resolved unanimously: “That the thanks of this meeting be and are hereby given to the Right Rev. Dr. Milner, Bishop of Castaballa, for the faith-

ful discharge of his duty as agent to the Roman Catholic bishops of this part of the United Kingdom."

In 1813, the aristocratic party in the Catholic Board boldly accused Dr. Milner with having dashed from the lips of the Catholics the brimming cup of hope, which Grattan and Canning held to them in the bill which had been framed or modified by those gentlemen. The Catholic aristocracy made no account of the poisonous ingredients with which the chalice in question was drugged. They were willing, from sordid motives, to swallow it—poison and all.

When O'Connell, in the Catholic Board, proposed a vote of thanks to Dr. Milner, the opposition he encountered can hardly be imagined. The notice of motion served as a signal to the whole aristocratic faction. They came swarming in from every part of the country. O'Connell rose to speak upon the motion at five o'clock on the evening of the 12th June, 1813. The enemies of Dr. Milner, who filled the room, anxious to oppose the motion, watched O'Connell with attention. Nothing could surpass their disappointment and vexation when O'Connell calmly announced that the hour was too far advanced to introduce the discussion of so important a question. The chamber rang with passionate cries of "No, no!" "Go on!" They saw the opportunity of insulting Dr. Milner slipping from their grasp, and they were exasperated to fury by O'Connell's stratagem. Their turbulence diminished when Lord Trimleston, with his habitual politeness and accustomed craft—

"A cherub's head—a serpent all the rest,"

rose to speak. "The time of the members," he said, "was not their own—it was the time of the Irish people. As the motion was of great importance in the opinion of Mr. O'Connell, he was sure that no gentleman would put off the consideration of it merely to gratify his palate or his stomach."

Mr. O'Connell declared that he would not press his resolution now. He would wait to consider further before he divided the Board upon it. That there was a strong difference of opinion he could easily perceive, and therefore he thought it his duty to postpone his resolution.

Mr. Hussey said that a notice of a most important nature had been given—the object of which was to thank Dr. Milner and insult their friends in parliament. This notice naturally alarmed all thinking, rational men. The members had attended from all parts of the country—there were upwards of 140 present. When his learned friend found this, and that

he would not have five to divide with him, he withdrew his notice and renewed it for the next meeting of the Board. "The country gentlemen find they are brought to town for nothing; and though they may persevere for a few weeks, they will at last cease attending—and then the motion will be pressed and carried by a party who by *trick* contrive to have their own motions passed as the act of the Board. It is only five o'clock," continued Hussey. "I dare my learned friend to bring forward his motion. If he declines doing so, the reason is plain—no man can be duped by it. He knows he will be left in a miserable minority."

In reply to this, O'Connell said he had a right to postpone his motion; he would submit the right to the chairman.

The chairman agreed with O'Connell, and the motion was accordingly postponed. The vexation of the aristocratic party at this success of O'Connell cannot be described; but their mortification was increased a hundred-fold when, at the aggregate meeting of 15th June, a vote of thanks to Dr. Milner was submitted to the multitude. Four thousand at least were present at this meeting. When the name of Milner was mentioned by O'Connell, the scene which the theatre presented was perfectly indescribable. Every human being present, with a shout of rapture that shook the building, rose from his seat; and the whole assembly continued for several moments waving handkerchiefs, clapping hands, and beating the ground in a perfect frenzy of acclamation. The scene astonished and appalled the envious aristocrats, who were obliged in their own despite to swell the ocean of sound that surged around them. The pent-up hearts of the people, tortured in their dearest feelings, seemed as if they could never pour out a sufficiency of acclamation to hail the name of the venerable opponent of the Veto. When the applause had subsided the resolution was read: "That the warm approbation and gratitude of the Catholics be conveyed to the Right Rev. Dr. Milner, for his manly, upright, and conscientious opposition (in conformity with the Most Rev. and Right Rev. the prelates of Ireland) to the ecclesiastical regulations contained in the bill lately submitted to parliament, and purporting to be a Bill for the Further Relief of His Majesty's Roman Catholic Subjects."

The preceding resolution was listened to in the deepest silence. Nothing was to be heard but the fine, mellow voice of O'Connell reading these remarkable words. But when the last syllable issued from his lips, the scene changed again. The whole assembly rose with a thunder that cannot be de-

scribed, and as if animated with one impulse. Nothing could be seen but waving hats, handkerchiefs, smiling faces, and demonstrations of pleasure—nothing heard but shouts of rapture. An electric sensation seemed to run through the assembly, of which the transports for several moments were uncontrollable. The ladies in the boxes came forward to the front, and by their courtesies, smiles, and waving handkerchiefs expressed their warm participation in the general feeling. Since Peter the Hermit preached the crusade, perhaps, warmer enthusiasm was never displayed.

O'Connell then described the disgraceful manner in which the English Catholics had acted towards Dr. Milner. The venerable prelate had been expelled from the paltry club calling itself the "Catholic Board of England." In one breath they had thanked Castlereagh and endeavoured to fix a stigma on a most reverend and venerable prelate—the only Englishman he had ever known to think justly on all Irish subjects. Dr. Milner was made the sport of the vilest caprice and the most spiteful ill-nature by those English Catholics, as they called themselves. For what crime or offence, think you? Simply for proclaiming that to be schism which the Catholic prelates of Ireland had unanimously declared to be such.

At an aggregate meeting held in Fishamble-street in June, 1813, O'Connell proved that his countrymen were warranted in pressing their claims, because the highest personage in the state recognised the justice of conceding their rights. "The enthusiastic affection they had expressed for the prince, the hope they had cherished might be delusive, but was not irrational. The Prince of Wales, under the tuition of Charles James Fox, had learned politics in a good school—the school of the most manly and honest statesman of the age. Therefore the prince had long been dear to Ireland. During the first illness of George III., when insanity first darkened the royal mind, Pitt—the greatest curse that Providence in its wrath ever inflicted on England—resolved to disinherit the Prince of Wales; a resolution which was encouraged by the aristocracy—the great borough-mongering peers—and paid for by the monied interest of England, with whom Pitt had bartered and sold his country. Pitt accomplished his purpose, and bequeathed his example to the sanctimonious Perceval. But the Irish parliament judged more rightly. Though under aristocratic influence, ruled by borough-mongers, the Irish parliament had an Irish heart. It decided that as on the king's death the prince must inherit the crown, so when his reason was extinguished—

when he was intellectually deceased, the royal authority, by the closest analogy, belonged to the prince. Who could forget the answers of his royal highness? Who could forget how he talked of his affection and gratitude to the generous people of Ireland? How he promised to devote his life to the preservation of their liberties—to the establishment of their happiness. When, in 1805, we asked Pitt to present our petition, Pitt—whose written pledge in favour of Emancipation was in our hands—refused. How different was the conduct of Fox. Fox presented our petition, and supported it by one of those powerful bursts of eloquence the effect of which still operates in our favour. Fox at that period was the friend of the prince, and we naturally combined the wishes of the one with the sentiments of the other. And, although the prince did not attend the House of Peers when our question was debated—though he neither spoke in the House nor voted for us, his opinions were not concealed. Shortly after that debate, a letter was written by the Earl of Kenmare, stating the substance of a communication made to him by the Prince of Wales, in which the prince most distinctly recognised the justice and the expediency of concession to us; and though delicacy prevented him from taking any public part in our behalf, he was determined to forward our relief so soon as he should have it in his power. Such was the substance of the prince's pledge, as stated in the letter of the Earl of Kenmare. The gentleman to whom it was written was requested to make it as public as possible without inserting it in the newspapers."

The government of Britain is not a monarchy—it is an aristocracy, in which the lords individually are the equals of the king—collectively, his superiors. What we are told of the representative or constitutional nature of the British government is a hoax. The true rulers are the jealous aristocracy, whose interest it was to degrade the sovereign to a cypher by curtailing his power, or by plunging him into vices which deprive him of character and popularity. The proceedings of the Irish in the regency question—their efforts to elevate the prince, who was sane, to an equality with his father, who was mad—to make him a monarch in all but name, was deeply offensive to those umbrageous men who, in the Lower House, governed through their boroughs, and in the Upper House ruled in their own persons. The prince was the menial of the lords, and the cheat he practised on the Irish, with the aid of Lord Kenmare, savours of the base trickery and grovelling baseness of a knavish menial. He gave them a promise—but

he lied in giving it. When danger menaced the empire, the pledge was craftily conveyed; when smiling peace returned, the pledge was mendaciously denied. O'Connell must have seen through the fraud. He says: "Since that period Lord Kenmare is no more. With his virtues his secret—as to the prince's promises—is buried. Nothing remains of it but the fading memory of persons who heard the language of the prince from the report of the earl. There lives, however, another noble earl—and long may he live for Ireland—the Earl of Fingal, to whom a similar communication was made by the Prince of Wales. It was not made in any confidence, but expressly for the purpose of being circulated among the people of Ireland, and to serve as a soothing balm to assuage the fever of disappointment created by a rejection of their petition. This declaration of his royal highness to the Earl of Fingal asserted, as before, that he was prevented by delicacy from giving us public support—he was convinced of the justice of our claims, and determined to assist us whenever he might be able to afford constitutional assistance. . . . Lord Fingal, on the very day of the communication, put the particulars on paper; and as Lord Clifden and the late Lord Petre were present at the conversation, the paper was shown to them on the same day, and they declared the perfect accuracy of its contents. This it is that I am desirous should come before the public, and remain for ever as an authentic document of the prince's opinion in our favour. No delicacy is violated by the disclosure of this fact. I heard it from the noble earl in Fitzpatrick's shop; there were three or four others present, one of whom was my respected friend Major Bryan. But this was not the only proof we had of the sentiments of his royal highness. There are several persons present to whom a similar pledge was communicated by his grace the Duke of Bedford. With these sure grounds of hope—with a reliance on the honour and integrity of the prince, the Catholics of Ireland viewed his accession to power with the most ardent, the most affectionate demonstrations of loyalty. That loyalty remains unshaken; but subsequent events have damped the ardour of our affections, turned feelings of enthusiastic attachment into the cold observances of duty. If those feelings had been encouraged—if their growth had been fostered, what a different scene would Ireland at this day present. Instead of detaining an army in her barracks, her instinctively martial population—would have furnished ten armies for the public service, and the tranquillity of the land would be secured by an unarmed police constable."

O'Connell concluded by moving, "That the secretary be directed to write to the Earl of Fingal, to request of him to communicate to the Board the contents of the paper containing the declaration of the Prince of Wales on the Catholic claims, made to his lordship in the presence of Viscount Clifden and Lord Petre."

The statements of O'Connell were confirmed by the testimony of Major Bryan. He was present in Fitzpatrick's bookshop when the noble earl related the words of the pledge which the earl had heard from the prince's lips. Sir Francis Goold was likewise present on that occasion.

Mr. Bagot said he knew that Lord Fingal would not consent to the request about to be made to him—nay, he had authority for avowing the fact. "Why then should Lord Fingal be placed in an invidious and disagreeable position? I deprecate a warfare with the first magistrate of these realms, who can render services and might inflict injuries."

Feeling that he was accused in these words of "making war" on the prince regent, O'Connell asserted that such war, if it existed, had not injured the Catholics. It was while they were calling the prince their early friend, their best and proudest hope—it was in the full tide of their warm affections, that they had been met by a state prosecution, that their delegates were arrested and their meetings dispersed. "It was long after the prosecution of the Catholics commenced that they publicly mourned the unworthy witchery which had, with magic touch, blasted their fervent hopes. The witchery resolutions had not injured their cause."

As O'Connell succeeded in carrying his resolution, the secretary wrote to Lord Fingal. That aristocratic individual in his reply stated, that he never had had an audience or interview (in the presence of Lords Clifden and Petre) with the Prince of Wales. He was besides persuaded that conversations between individuals of whatever rank were not fit subjects of public discussion. The pledge which was alluded to he did not possess. Lord Clifden, in a letter addressed to Lord Fingal, said that he never had an audience with the prince in the presence of Lords Fingal and Petre. As to the written pledge, he had never seen that document. A third letter from Sir Francis Goold was then read, which corroborated Fingal and Clifden. The existence of this pledge, which millions had cherished and relied on, was thus denied by Lords Fingal and Clifden and Sir Francis Goold. As this man's dignity was not so exalted as Fingal's or Clifden's, his lies are

not so sweeping; they dwindle down to an equality with his more modest dignity—they are not so mountainous as the noble earl's. He has not, he says, "the least trace on his memory of the supposed pledge—he did not think it could ever have taken place; but he (Sir Francis Goold) ever had a strong impression on his mind that his royal highness had always expressed himself in very favourable terms towards the Catholics of Ireland." The baronet does not lie so courageously as their lordships.

Major Bryan then rose and said: "I declare, upon my honour, that about five years ago, I was called into Fitzpatrick's inner shop in Capel-street, where Lord Fingal stated in the presence of Sir Francis Goold and Mr. O'Connell, that he had seen the prince regent in the presence of Lords Clifden and Petre, and on that occasion his royal highness expressed himself in favour of Catholics in terms so extremely strong, that Lord Fingal committed his words to paper."

O'Connell then rose and said: "I give the same solemn pledge which Major Bryan has uttered respecting what passed in Fitzpatrick's shop. The report of the pledge which has appeared is perfectly accurate."

It is impossible to doubt the two commoners—it is impossible to believe the two lords. The defence which was set up for their mendacious lordships in the newspapers of the day affords evidence of their falsehood. It says: "Let us suppose that a peer requires an audience of the sovereign on public affairs, or one gentleman requires an interview of another. The conference is pre-arranged, and the conferrers are prepared against either pledge or declaration. But should a conversation happen at a levee or in the street, no honest man would strain it to entrap the sovereign into destroying the constitution." In this excuse there is a tacit admission that the prince gave the pledge; but as it was uttered in conversation, not at an audience or interview, it was of no moment—it was a lie. From this we learn that in conversation lying is pardonable, but in an "interview" lying is reprehensible. It was a grave mistake on the part of O'Connell to suppose that honour and honesty, principle and truth, are precisely the same in all places and at all times. This was a serious error. There is a geographical morality with which O'Connell was not acquainted, which controls the language and guides the conduct of lords and princes. They can lie in a conversation, but must tell truth in an interview. This is a feature in aristocratic morality of which honest men should not remain ignorant.

The explanation of the mendacious shuffling of the prince is to be found in the fact, that early in the present century, when the prince gave the pledge, Napoleon I. was preparing to carry into execution a mighty project for the invasion of Ireland. The danger of invasion had disappeared when Lord Killeen's memory proved so feeble—when every trace of the pledge vanished from the recollection of Sir Francis Goold.

Some men deemed the menace of invasion an empty threat, others regarded it as based on reality; among the latter we may reckon the Prince of Wales. We know—since the publication of Napoleon's correspondence—that the fears of the prince were well-founded. Amid the various disclosures which have been made respecting Napoleon I., nothing is more remarkable than the picture which is presented of the unwearied attention with which, from the rupture of the peace of Amiens till the final destruction of his hopes at Moscow, he was brooding over this project. It was never his purpose to hazard the vast army and flotilla which he had collected at Boulogne, unless he should have been previously enabled to draw the English squadrons from the Channel, and appear in the narrow seas with an overwhelming naval force. "Let us be only masters of the Channel for six hours, and we shall be masters of the world," said Napoleon I. The mystery of the prince's pledge is explained by Napoleon's threatened invasion. To effect this invasion the fleets of France and Spain were put to sea whenever they could escape unnoticed; and he endeavoured, by marching troops towards points which were not intended to be attacked—by menacing Egypt and India—to delude the English squadrons into a distant and unavailing pursuit. Expeditions were to be sent against St. Helena, Goree, and Surinam. They were to present themselves before every roadstead, and to spread alarm at once through Asia, Africa, and America. "You must insert in the journals that extraordinary and important intelligence from India has arrived—nothing is accurately known except that British India is going to destruction." "I shall threaten Egypt in so many manners, and with such apparent earnestness, that the enemy will apprehend a formidable blow. They will fear that my squadrons will attack India." "Egypt will fill them with terror. I have an army ready at Tarento, and I have a million rations of biscuit," writes Napoleon I. to his admirals.

The combined fleets, after spreading alarm through the West Indies, returned towards Ferrol. "It is my intention," writes Napoleon, "that, provided Villeneuve has twenty vessels under

his command, he shall repair to Ferrol, where he must certainly find fifteen French or Spanish ships. With these thirty-five vessels he shall appear before Brest, where Admiral Gantheaume will form a junction with him. He shall enter the Channel then with these fifty-six ships."

An invasion of Ireland was to follow. A fleet was to land 18,000 men to the north of the bay of Lough Swilly; then passing round Scotland to appear off Boulogne, or go to the Texel, where they would find seven Dutch sail of the line and 27,000 men, which they were to take back to Ireland. "Then when I have 30,000 or 40,000 men in Ireland—whether I be in England or Ireland—victory must declare for us." "If your presence," he wrote to Admiral Villeneuve, "render us master of the sea before Boulogne during three days, we shall have it in our power to land our expedition, composed of 2,000 vessels and 160,000 men.

When these gigantic preparations were making by Napoleon I. the promises of the prince were vividly imprinted on the memory of the noble lords; but when Russian fortitude at Moscow buried in the snows the power of Napoleon, every trace of the pledge was washed from the recollection of their lordships—they could not remember a single syllable of it. Yet the time was certainly not so long. Napoleon's preparations were made in 1805. Lord Fingal remembered the pledge in 1807—but it had faded from his memory in 1813. The mortification of the Catholics was bitter to find the "bright hopes they cherished" terminating in a vexatious illusion, resembling those deceptive fruits of the Dead Sea which with their bloom and beauty tempt the eye, but turn into ashes and bitterness in the mouth. The silence observed by the Catholics when thus foiled in their expectations indicates clearly their melancholy degradation. They should have denounced Lords Fingal and Clifden as liars of the basest character—miscreants of the vilest type. But though perfectly conscious of their rascality, they failed to hold them up to the scorn and vituperation of the public; they shut their eyes to their lordships' unprincipled shuffling, and though feeling bitterly that they had been tricked, defrauded, and imposed on, their slavish respect for the "whistling of a name" hushed them into reverential silence. They still desired to retain their lordships' friendship, though profoundly convinced of their worthlessness and insincerity. Were they wise, the Catholics would not have relied on them as friends nor feared them as enemies—they would have flung off all connexion with the aristocracy before those men seceded

from the Board—men who cannot be faithful to the interests of the people without betraying the interests of their own class.

The British empire is not more than 160 years in existence. It originated in the Scottish Union, which took place about that period. The previous title was—the English monarchy and Scotch kingdom. The Scotch said, “We will not be Englishmen; you will not be Scotchmen. Let us sink our respective titles in the common name of Britons.” They did so. The aristocracy of Britain have managed within that 160 years to make themselves masters of a wide segment of the earth’s surface; the sun, they say, never sets upon their empire—which, modelled upon that of Venice, has all the craft, all the cruelty that characterized the pagan Roman empire—established by crooked counsels and dark politics—satanic craft and perfidious scheming. Of this truth, the history of O’Connell affords flagrant instances.

Letters were received by the Catholic Board, in 1813, from an agent of the English Catholics named Charles Butler, an able advocate of the iniquitous Veto. This man seems to have been the originator of a subtle scheme to damage and disgrace the Irish Catholics. He asserted that sentences were forged, and foisted into his letters. The great ability which such Irishmen as O’Connell manifested in the Board filled the grudging English with ill-concealed jealousy. They were anxious to tear from Irish hands the management of Irish affairs. As Mr. Butler expressed it, “I think the English Catholics should for once lead the way.” “I believe, that some speeches in Ireland,” he adds, “have disgusted our friends.” Unable to obtain the leadership of Catholic affairs—unable to convince the Irish that they were asses, the English endeavoured to convince the world that they were rascals unworthy to manage Catholic affairs.

“It has been said,” observed Mr. Scully, 28th June, 1813, “that these letters had been interpolated since they came over from England. In that country there exists a faction whose great and darling object it is to disparage Ireland, the Catholics, and the Board—and with this faction I think the charge originated; for surely there could be no disparagement greater than to say that the Catholic Board of Ireland had interpolated the letters of any man. I have examined the letters, and am satisfied that they contain no interpolation.” Mr. Butler sent over what he termed genuine copies of his original letters. The seals of these genuine copies were broken by O’Connell and read aloud in the presence of the Board. They

tallied perfectly with the letters which were falsely alleged to be interpolated. In one of his letters this man had the audacity to censure the Irish prelates for "their rejection of all arrangements respecting themselves." With incomprehensible effrontery he denounced their resolutions as "very improper; not called for, calculated to disgust friends and furnish arms to enemies." The friends whom Butler alludes to were those lordly volunteers who enter the democratic camp in order to declare themselves "disgusted" when any step really serviceable to the people is proposed. They were such men as Mr. Bellew and Lord Trimleston, whose real object was not to advance the freedom of the people, but to seduce, pervert, or betray.

"About a year and a-half ago," wrote Mr. Butler, "one of our most steady and active friends in parliament desired me to prepare a sketch of an act of parliament to repeal every law in force against his majesty's Roman Catholic subjects in every part of the United Kingdom." This sketch, Mr. Butler went on to say, he transmitted to Mr. Scully. "Shortly after which I was called upon," adds Butler, "to prepare a general act for the purpose in question. . . . A short time subsequently," he goes on to say, "a conversation between me and Lord Castlereagh took place. His lordship mentioned a communication between him and the Irish prelates. He said the business had gone so far that the amount of the salaries, and even the fund out of which they were to come, had been settled, with the full concurrence of the prelates. I understood from him that he had explained to them that he made them nothing like a promise respecting Catholic Emancipation. He denied the existence of any such promise to others, and he expressed himself on this in terms so explicit as surprised me a good deal. He stated this very extraordinary fact—that when he was requested to take part in Lord Sidmouth's administration he required as a preliminary that his promise respecting salarizing the Catholic clergy should be performed, and that it was agreed to and understood that the king did not object to it on some future occasion. He understood from the Irish bishops that in their opinion it would appear to the Irish people ungracious in them to accept a boon for themselves, if nothing was done for the body at large; and that on this account they declined the promised boon. He seemed to think that this proceeding did them great honour."

Mr. Scully, in replying to these letters, gave Mr. Butler some sound advice. He said, "I strongly recommend Mr. Butler

to discontinue his interviews with any members of the administration upon the affairs of the Irish Catholics. The Irish Catholics were never so strong and never so unanimous or determined as at present."

O'Connell said "there was the most studied and marked neglect of the sentiments and opinions of the Irish Catholics during the last session of parliament. Neglect! it actually showed a contempt for the Catholics. See how the facts were. First, a bill purporting to be for their relief had been prepared in Dublin, under the auspices of Mr. Grattan, by three gentlemen of the bar; but so far from any Catholic being consulted on that occasion, even the preparation of the bill here was for a time considered too important a secret to be confided to any Catholic whatsoever. It was our case that was to be brought before parliament, and yet the mode of relief was conceived to be beyond the reach of our understandings. The second instance of this disrespectful conduct was apparent in the treatment which our delegates received in London. Every communication with them was declined. So far were they from being consulted, that their offer of assistance was rejected—with civility to be sure, but very distinctly. The third proof of the low estimate which our parliamentary advocates formed of us was found in the fact, that whilst all the members of the Board and their delegates were disregarded, it appeared from Mr. Butler's letters, the English Catholics were not only consulted, but their advice and assistance were anxiously sought for and required by Mr. Grattan and our other advocates. No man can be more sensible than I am of the splendid talents and more splendid patriotism of Mr. Grattan; but a more humble friend may be more useful. It was impossible to emancipate the Catholics unless they were consulted upon the details. If Mr. Grattan would not condescend to consult the Irish Catholics, they were bound to have their petition presented by a person who would enter into those details with them; and much as I should regret the loss of even the name of Grattan, as the person who was actually to present our next petition, I cannot help saying that if some arrangement be not made with him, and some fixed manner of communicating our sentiments settled—if, in short, he is pleased again to reject all intercourse with us, it will be a painful, solemn duty to Ireland to consider whether it would not be more useful to our great cause to place our petition in the hands of some man who will cheerfully hold the requisite communication and intercourse. Such a man should certainly

have my humble vote and all the interest I can exert to secure his election, even though the rival candidate bore the illustrious name of Henry Grattan" (cheers).

These remarks on Grattan were characterized by Mr. Bagot as "hasty." O'Connell said that his "hastiness" consisted in believing Mr. Butler's statement—namely, that Mr. Grattan had called on *him* to prepare the bill. Would it not have been better to have consulted an Irish barrister? "I repeat," said O'Connell, "when Mr. Grattan was about to legislate for Irish Catholics, it would have been better to have consulted Irishmen rather than Englishmen. If he refused to do so, he had a perfect right to act as he pleased; and so in their turn had the Irish Catholics. I like Mr. Grattan much—but I like Ireland more."

The selection of O'Connell by the bishops, in 1818, to present their lordship's address to the Catholic Board, proves that his conduct had merited their confidence, and evinces that they appreciated the sincerity of his religious professions. At that time the paschal duty was generally neglected by the Irish gentry. "You did not see more," said O'Connell, "than perhaps twenty male communicants in the year." Owing to this general negligence, he himself was negligent; but his staunch sincerity, his firm devotedness to the faith was beyond the shadow of doubt. The religious opinions of O'Connell at this time were entirely at variance with those of Pope, who says:

"For modes of faith let graceless zealots fight—
His can't be wrong whose life is in the right."

When a Protestant friend maintained in his presence, on one occasion, that errors in morality are worse than errors in faith—inasmuch as a man may *believe* wrong without knowing it; but a man cannot so easily *do* wrong without knowing it—O'Connell contended that errors in faith were more dangerous. "Nothing short of a thorough and perfect sincerity—and moreover a cautious sincerity—can acquit the holder of erroneous faith from the guilt of heresy. Of course," he added, "every person thus thoroughly and cautiously sincere is free from heretical guilt; but those who belong not to the Catholic Church labour under the grievous disadvantage of being deprived of true sacraments—or, in other words, they are deprived of those ordinary channels of grace and modes of reconciliation with God of which all stand in need, inasmuch as *all* have at one time or other sinned mortally. Even though a Catholic should have sinned more grievously than a person outside the

pale of the Church, yet the position of the former is in one respect better—namely, that he stands a better chance of obtaining the grace of true repentance.”

On another occasion some one casually mentioned in his presence a Count Maceroni, who was spoken of as a scientific Neapolitan author of a paper detailing an experiment he had made in the art of flying. “I dined once in the fellow’s company,” said O’Connell. “O’Meara asked me to meet him, but said, ‘I don’t like to bring you together, for the fellow is a rampant infidel, and such an enthusiast in his infidelity that he always blurts out something offensive.’ ‘I don’t care,’ said I; ‘ask him—I may do him some good.’ So O’Meara asked Maceroni to dine, but stipulated that he should not give vent to any of his infidel notions. He was quiet enough for ten minutes or a quarter of an hour, but he then slapped off some jests at Christianity. I looked up at him and said, ‘Count Maceroni, I am now enjoying an excellent dinner, and do not wish to be disturbed. If, however, you choose to resume the subject when we have dined, I shall be ready to meet you upon it.’ The count said no more until we went to the drawing-room—and then he renewed his attacks on Christianity. I said, ‘Do you believe in Julius Cæsar?’ ‘I do,’ answered he. ‘Do you believe in Caligula?’ ‘I do.’ ‘And you will not believe in Jesus Christ, although, looking on the matter as a merely historical question, the witnesses for Christianity are more numerous and unimpeachable than those for any mere historical fact whatsoever?’ I very soon forced him to confess the *historical fact* of Christianity—and I then challenged him to show on what reasonable grounds he could discredit the witnesses of our Saviour’s death, his resurrection, and, in short, the whole of the doctrines he came on earth to announce; for these witnesses were eminently trustworthy, as being in the highest degree disinterested. They had nothing of a temporal nature to gain for their evidence—no honour, no rank, no riches, no luxuries; on the contrary, lives of toil, persecution, and affliction—and they finally died the deaths of martyrs to seal the truth of their narratives. Could any rational man doubt such witnesses as these? Yet such were the witnesses of Christianity. When the historical fact was once admitted, the divine character of the Christian religion must inevitably be received upon the self-same evidence. I promise you I never had a greater triumph than I enjoyed over my poor count. How I used to hurrah whenever I drove him to confess the absurdity of some infidel cavil or other! I actually extorted an acknow-

ledgment from him that he had nothing to urge against my reasons; and I sent him home the most unhappy and terrified wretch breathing lest, after all his vaunting, there should really be a devil."

O'Connell compared Martin Luther to Cobbett, whom, he said, the ex-Augustinian resembled much in the power and constitution of his mind. "Luther," said he, "commenced his revolt from an eminence. Sprung from humble parents, his talents had raised him within one step of being superior of his friary. There is and has ever been that spirit of democracy in the Catholic Church that gives to the son of the peasant and the son of the prince precisely similar advantages in all her monastic and ecclesiastical institutions. Talent and virtue will win the race, although combined with humble birth and opposed to distinguished descent unaccompanied by moral and intellectual merit. Luther's position in his monastery entitled him to sit at table with princes."

O'Connell seemed to feel considerable pleasure in reciting the old Latin hymns of the Catholic Church. He did so frequently when travelling. His favourites seemed to be

"Lauda Sion salvatorem,
Lauda ducem et pastorem;"

and the noble hymn commencing with the words,

"Stabat Mater dolorosa,
Juxta crucem lachrymosa,
Dum pendebat Filius."

Comparing the cathedrals of Catholic times with those erected since the Reformation, he observed: "Westminster Abbey and St. Paul's afford us good specimens of this sort of contrast. The very architecture of the former seems to breathe the aspiring sentiment of Christianity; but St. Paul's—it is a noble temple, to be sure; but as for any peculiarity of Christian character about it, it might just as well be a temple to Neptune."

Many Protestants believe that Leslie's "Case Stated" is the ablest attack on the Catholic religion. This was the opinion of Dr. Johnson. He said to Boswell: "Sir, Leslie was a reasoner indeed—and a reasoner who could not be reasoned against." Leslie's book was written in the form of a dialogue between a lord and a gentleman. The "gentleman" is a Protestant, and Leslie furnishes him with triumphant arguments. The "lord" is a Catholic, and Leslie furnishes him with very lame rejoinders—his lordship betrays the cause. The Rev.

Robert Manning wrote a reply to Leslie, which is very ingenious. He commenced by turning or scoring the Catholic lord out of the book—that is, Manning reprinted every line of Leslie's Protestant "gentleman," but substituted his own replies for those which Leslie had placed in the mouth of the Catholic lord.

"Leslie," said O'Connell, "is exceedingly plausible and able in attacking Catholicity; but although he professes to state the whole case, he does not even attempt to set up any *affirmative* case whatsoever for Protestantism. How exquisitely Manning demolishes his fallacious plausibilities. I suppose that in this book one finds the very strongest objections that can possibly be urged against the Catholic religion; and how utterly futile and driftless they appear when the answers of Manning are read. Protestantism is, in fact, a mere negation—a denial of certain truths announced by the Catholic Church."

"A very unequal negation," observed a friend.

"Of course it must be an unequal negation," returned O'Connell; "since the amount of Protestantism in the minds of its different votaries depends on the exact quantity of truth that each man chooses to deny. It is, to be sure, a most curious delusion. It never would have made any head if Luther had not baited his trap with justification by faith alone. That was such a comfortable doctrine—so flattering to human corruption—that a leader who promulgated it might safely reckon on a numerous following in his revolt."

The conversation then turned on the utter incompetence of private judgment to retain a man in the path of faith—to preserve a Christian's belief in the doctrine of the Trinity.

"The Socinians," observed his friend, "allege that if the Trinitarian doctrine be true, it is very strange that the word *Trinity* does not once occur in the whole Bible."

"Oh, as to that," said O'Connell, "if the word Trinity were found in every page of the Bible, Socinian Protestants would not believe in the doctrine one whit more than they do at the present moment. They might get rid of it on the ordinary Protestant principles of interpretation; they might deal with it as they do with the real presence in the Eucharist; they might say that the word Trinity did not really mean a Trinity at all—that it only meant something that was figuratively called a Trinity!"

In the market-place of Armagh, in 1813, one of those Irish crosses covered with chiselled work, which awaken veneration in the Catholic and admiration in the antiquarian, raised its tall and

time-honoured form. It was sheeted with *bassi relievi*, quaint and crowded—venerable patriarchs and canonized virgins—the scales of judgment massive and ample, and the cowering sinner withered and diminutive—the triumphal procession and the chariot of victory—the dexterous *ana*,

“His beard a yard before him, and his hair
A yard behind,”

standing aloft, and controlling the spanking horses which bear the victor to the eternal mansions. All this and much more, graven on the cross of St. Patrick, did not mitigate the animosity with which black bigots regarded the symbol of salvation. The venerated relic of antiquity, which had stood for 700 years, was attacked by a group of linen-weavers on the 12th July, 1813. They hurled it on the earth, with gunpowder blasted the pedestal, and converted the shaft into a trough in which to feed swine.

In the same month in which they disgraced Armagh by impious vandalism, they crimsoned Belfast with human blood. A band of armed Orangemen were revelling in a tavern in Belfast, when, in the midst of their orgies, they heard the crash of broken glass in the front of the house. Starting up from the table, the drunken fanatics rushed with loaded muskets into the open streets, and fired upon the passers-by. Three men fell, writhing and bleeding on the ground before them: one received a ball in the thigh, and subsequently suffered amputation of the limb; a second was mortally wounded, and died the next morning at one o'clock; the third, named Hugh Graham, was shot dead on the spot. It is unnecessary to say that the guilty Orangemen were tried and acquitted, while innocent Catholics—who narrowly escaped assassination—were, as usual, convicted and punished. The Orange sign, passed from the felon at the bar to his *brethren* in the jury-box—conjured up the demon of party in the jurors' breasts, and justice was scouted out of court.

Knowing that the infliction of cruelty was not the exclusive object of the linen lords—that they longed to rouse revenge, provoke resistance, and find opportunity for carnage, the Catholic Board issued an address to the Catholic population, which startled the country by stating that a new danger impended over Ireland. “The object of your enemies,” it said, “is to irritate the passions of the people, and betray them to destruction by awaking their resentments. In their restless desperation they seek to provoke or to seduce the Catholic

body to violence or insurrection. Local agents are busy—prowling emissaries are abroad. These miscreants resort to the meetings, the clubs and public places—insinuate themselves into public confidence by counterfeit zeal, by daring language, by affected warmth, and tender concern for the sufferings of the people. They suggest secret oaths, propose illegal associations, circulate wild and improbable rumours of plots and conspiracies, recommend and predict rash and ruinous hostilities. A deep and diabolical plot is in actual progress, constructed not merely for defeating Catholic freedom, but for involving our beloved country in massacre, desolation, and ruin. The Board entreats the people, as they value their families, their country, and their religion, to shun the vile instruments of that nefarious policy, and beware of their fatal snares and seductions.”

“Alas! for poor Ireland!” said O’Connell on 29th June, 1818, speaking with reference to this address. “Her liberties depend upon the prudence of a people of the most inflammable passions, goaded almost to madness on the one hand by Orange insults, and exposed at the same time to the secret seductions of the agents and emissaries of those very Orange oppressors. Do you wish to gratify the Orangemen? If you do, the way is before you. You have only to enter into some illegal or traitorous association—you have only to break out into turbulence or violence, and the Orangemen will be delighted, because it will afford them the wished-for opportunity of revelling in your blood. Do you desire to afflict and disgust your friends? If you do, the way is open to you. You need only form illegal or seditious societies. You have only to commit some outrages against the public peace, and your friends must abandon your cause in disgust and abhorrence. In short, your enemies are on the alert. They throw out the language of irritation, and adopt every measure of oppression to goad you to a violation of the law. But it does not rest there. They send round their agents with money and with pardon for their agency, to preach in private circles the doctrine of insurrection, to form secret knots and associations, to seduce you into crime—and then betray you. These miscreants endeavour to obtain your confidence that they may sell your lives. In the meantime, the Orangemen stand to their arms ready prepared—primed and loaded; they stand with the triangle and the gibbet to torture, to plunder, and to massacre.”

The apprehensions O’Connell expressed, the Orangemen soon

realised. On the 12th July, 1813, the statue of William III., in College-green, was seen waving with the flaring garniture of party—flaunting in gaudy drapery and fluttering with orange ribbons; while green shamrocks, strewn ignominiously under the upraised hoof of the pawing charger, indicated the downfall of the nation symbolised by the “triple leaf,” and maddened popular irritation into fury. In the morning, the statue was blazing with radiant hues—the Orangemen paraded round it with arms, shouts, and discharges of fire-arms; in the evening, the statue was pelted with mud by the infuriated populace, and subjected to an incessant shower of ordure, which gradually bedabbled it with patches of filth, and rendered it before night foul and grim—hideous and even horrible.

The Orangemen, it must be admitted, owing to the ignorance and degradation in which they were sunk, should not be considered as accountable in these cases. The Protestant aristocracy who urged them on, and who were leagued secretly with the Catholic aristocracy, should be regarded as the real criminals.

At the Catholic meetings (1813) the aristocratic party that fostered the spirit of religious indifference, of crawling caution, and grovelling compromise, received its death-blow. It may have wriggled a little afterwards, but the shout which shook the building when O'Connell thanked Dr. Milner, was mortal to its reptile nature. It gasped out its poisonous life in envious terror at that thunderous vociferation. At least, it never raised its head boldly to cackle out its small and contorted sophistries at those Catholic gatherings again. The crawling aristocracy were struck dumb by the unexpected discovery that the Irish heart was unalterably sound and profoundly Catholic. They slunk away at this painful discovery, like creatures of night from the effulgent splendour of the day. All their distinctions, their shifts, their evasions, their subterfuges, their crafty tricks, their adjournments, and previous questions, and orders of the day, proved unavailing.

In taking leave of the Catholic aristocracy who, in 1813, retreated from the constitutional struggle for civil liberty because Grattan's bill was scouted by the Board, we shall—with the reader's permission—glance for a moment at the cause of the perverse impracticability which rendered them an embarrassing drag-chain vexatiously retarding Catholic progress. The cause is to be found in the gross ignorance which incapacitated them for political exertion. The son of the peer, trained in the wooded solitudes of his remote estate to pursue game,

was less enlightened, less intellectually developed, than the son of the citizen, trained to pursue trade in the busy thoroughfares of a crowded town. The young citizen was qualified for "freedom's battle" by the intelligence which was, in his collision with men, necessarily struck out; while the young peer who vegetated in a dozing, dreaming, Lethæan state of half-consciousness in the country, was qualified for the fetters of the government. When the two came together they could not harmonize. Perhaps the Catholic peer, at the time when the Catholic cause was in its infancy, was the veriest slave under the British crown. The Catholic farmer could vote for a parliamentary candidate when the Catholic peer was destitute of the elective franchise. Thus his lordship's political education was not only neglected—it never commenced. He had no incentive to study liberal politics—he was neither eligible as candidate nor constituent, elector or elected. This was the state of the Catholic peer when the first links were struck off Catholic chains—when in 1777 the privilege was granted to Catholics of taking long leases of land. At that time two men entirely destitute of aristocratic dignity, but gifted with great courage and high intelligence, Dr. O'Connor of Ballinagare—"the man who never told a lie"—and Dr. Currie, the author of the "History of the Civil Wars in Ireland," were the champions and agitators of the Catholic cause. At that time, too, the influence of Lord Trimleston and some of his brethren in the peerage was industriously exerted to thwart and paralyse the beneficent exertions of Drs. Currie and O'Connor. The Catholic aristocracy then as ever were found obstinately opposed to those bold proceedings which contributed to lighten or break the chains of the Catholics. This was not attributable exclusively to the prejudices of class—it was attributable to isolation from human converse, the solitude in which the peer was entombed—it originated in the penal laws, which shut him up in his castle and shut him out from the world. Generally educated abroad, the solitary peer of course spoke French, or Spanish, or German, without having an opportunity of thoroughly mastering English; and from these two languages, blended with some Irish, he formed a conglomerate tongue—a piebald medley of three dialects. It is no exaggeration to say that a Catholic peer and an officer of the Irish Brigade spoke a jargon unintelligible to the rest of mankind—*more bilinguis Canusini*; and this extraordinary language was one of the extraordinary productions of the penal code. The Catholic peer was too proud to mingle with the peasantry, and the Protestant aristocracy were too pre-

judiced to associate with him. His brother peer of the Established Church passed him silently on the road with a high protective bow. The Catholic lord and the parish priest were sometimes asked to dinner, especially before Lady Day, that the tenants might be in good humour when the rent was collecting—or when the brother of the Catholic peer happened to be on a visit from the Continent, and the young Protestant ladies were solicitous to see the tall cap or the hussar uniform, the long sword or the brilliant cross of St. Louis or Maria Theresa, sparkling on the breast of the Catholic count in the military service of some despotic power.

In the “Reminiscences of Michael Kelly,” he describes an officer of the Irish Brigade in a graphic manner, truly illustrative of what we allude to. “Walking on the Parade the second morning of my arrival in Cork, Mr. Townsend of the *Correspondent* newspaper pointed out a very fine-looking elderly gentleman standing at the club-house door, and told me that he was one of the most eccentric men in the world. His name was O'Reilly; he had served many years in the Irish Brigade in Germany and Prussia, where he had been distinguished as an excellent officer. Mr. Townsend added: ‘We reckon him here a great epicure, and he piques himself on being a great judge of the culinary art as well as of wines. His good nature and pleasantry have introduced him to the best society—particularly among the Roman Catholics, where he is always a welcome guest. He speaks French, German, and Italian, and constantly, while speaking English with a determined Irish brogue, mixes all those languages in every sentence. It is immaterial to him whether the person he is talking to understand him or not—on he goes, stop him who can.’

“I was presented to him,” continues Kelly, “and no sooner had the noble captain shaken me by the hand than he exclaimed: ‘*Bon jour, mon cher Mick! Je suis bien aise de vous voir, as we say in France. An bhfuil tu go maith. J'étois fâché that I missed meeting you when I was last in Dublin; but I was obliged to go to the county Galway to see a brother officer who formerly served with me in Germany—as herlich ein kerl, as we say in Germany, as ever smelt gunpowder. Dair mo laimh—it est brave comme son epee, as fearless as his sword. Now tell me how go on your brother Joe and your brother Mark; your brother Pat, poor fellow, lost his life, I know, in the East Indies—but c'est la fortune de la guerre, and he died avec l'honneur. Your sister Mary, too—how is she? Dair a marreann; by my word*

she is as good a hearted kind creature as ever lived ; but, *entre nous, soit dit*—she is rather plain, *ma non e bella, quel ch'è bella, e bella quel che piace*, as we say in Italian.'

" 'Now captain,' said Kelly, 'after the flattering encomiums you have bestowed on my sister's beauty, may I ask how you became so well acquainted with my family concerns?'

" ' *Parbleu !* my dear Mick,' said the captain, 'well I may be, for sure your mother and my mother were sisters.'

"On comparing notes," adds Kelly, "I found that such was the fact. When I was a boy, and before I left Dublin for Italy, I remember my mother often mentioning a nephew of her's of the name of O'Reilly, who had been sent to Germany when quite a lad—many years before—to a relative of his father who was in the Irish Brigade at Prague. Young O'Reilly entered the regiment as a cadet ; he afterwards went into the Prussian service ; but my mother heard no more of him. The captain told me furthermore that he had been cheated some years before out of a small property which his father left him in the county Meath, by a man whom he thought his best friend. 'However,' said the captain, 'I had my satisfaction by calling him out and putting a bullet through his hat ; but, nevertheless, all the little property that was left me is gone. But, *grace au ciel*, I have never sullied my reputation nor injured mortal, and for that "the gods will take care of Cato." In all my misfortunes, cousin, I have never parted with the family sword, which was never drawn in a dirty cause ; and there it hangs now in a little cabin which I have got in the county Meath. Should ever Freddy Jones discard me, I will end my days in *risposo e pace* with the whole universal world.' "

The Frederick Jones mentioned by the captain was proprietor of Crow-street theatre. Jones took such a liking to him the first day he came to dine with him, that O'Reilly became his confidant and deputy-manager for life.

One day, the captain was in the streets of Clonmel when the Tipperary militia was marching out of town. Their colonel's father had formerly been a miller and amassed a large fortune, which he bequeathed to the colonel himself. O'Reilly eyed the half-drilled militia and their swaggering but unsoldier-like colonel with the critical scrutiny of a veteran, and then exclaimed : "By the god of war, here comes Marshal *Sacks* and the *flour* of Tipperary at his back !"

Great as was unquestionably the merits of such men as soldiers abroad, they invariably proved blundering politicians at

home. Their politics were as eccentric as their dialect. The manner in which Wolfe Tone speaks of the officers of the Irish Brigade—who still lingered in France whilst he was negotiating with the French government to relieve his country from oppression—shows the irreconcilable difference which grew up between the mind of the exile who battled for despotism abroad and the patriot who struggled for liberty at home. Chevalier M'Carthy, whom we have alluded to in page 156, was a specimen of this class. The Catholic cause was not advanced by these men, nor by their kinsmen or brothers, the Catholic peers. The talent and courage, the manliness and wisdom of O'Connor and Currie produced the long leases, which was the first step on the road to liberty. Dr. O'Connor prevailed on Brooke, the Protestant author of "*Gustavus Vasa*," to write the celebrated letters which contributed to procure that relaxation. Brooke supplied the letters; Lord, the printer, published them. The Catholic aristocracy would not muster money enough to compensate Lord. Where was the patriotism of the Catholic aristocracy then? Charles O'Connor succoured Brooke—the merchants of Dublin contributed money to pay him; the Catholic aristocracy actually refused to subscribe. The services of this printer, named Lord, and of John Keogh, a Dublin mercer, outweighed the public services of all the ancestry of the Catholic nobility from the time of Strongbow to the days of Daniel O'Connell—that Catholic nobility, we mean, who, because they could not prevail on the people to accept the vetoistical Relief Bill of 1813, abandoned the Catholic Board.

In the year 1813, the Catholics were divided into two parties—those opposed to the Veto, and those favourable to it. The truth is, the anxiety for Emancipation was so intense amongst the aristocratic Catholics, they were highly indignant that a *mere question of discipline*, as they called it, should impede a settlement. "Emancipation should not be delayed," said Wolfe—"not for a single moment. Would I protract in the bosom of the high-minded Catholic the indignant glow of unmerited degradation—that burning sense which he experiences when, like the fettered eagle, he eyes the region for which nature had created him, and sees some kindred bird soaring in its fulness. Forgetting his captivity, he springs upward in his strength, and no sooner reaches the extremity of his chain than he is dashed back by its revulsion."

"In no part of Ireland," says Fagan, "were the two parties so violent and determined in opposition to each other as in Cork. There was in that city, as in other parts of Ireland, a

local Catholic Board; and it consisted of the Catholic aristocracy and merchants of the city and neighbourhood. Its proceedings were neither open to the public nor the press. The people were not admitted, and the Board, as a matter of course, was very genteel and very unpopular. After the defeat of Grattan's bill, the Board, following the example of the rest of Ireland, called an aggregate meeting. The meeting was held at the Lancasterian schools, and as might have been expected was attended by the people in great crowds. As a good place was valuable, every one went early except the "nobs"—that is, the Board, who, of course, as they were to be the prominent actors in the scene, thought there was no danger of seats not being carefully provided for them. But neither their personal convenience nor their judgment was consulted. In their absence the popular party carried a series of important resolutions. In one of them they refused to accept any but unconditional Emancipation, and spurned the *Veto*; in another they voted thanks to O'Connell; in a third, to the bishops and to Dr. Milner. The number of the resolutions was seventeen. O'Connell attended, and was the moving spirit of the day. The exclusive Catholic Board, at whose instance the meeting was convened, finding that they could not stem the tide of opinion which set in against their vetoistical views, adjourned to a building on the opposite side of the roadway, and were about to hold a meeting of their own when O'Connell came in upon them, followed by the people, and soon put an end to their mock proceedings. The gentlemen, annoyed that the people should dare have a voice in the matter, adjourned to the Bush tavern, and drew up a protest against the proceedings and resolutions of the aggregate meeting, as being highly injurious to the Catholic cause. The parties, many of whom are still living, by whom those resolutions were adopted, incurred in consequence a particular designation—being known long after by the title of "Protesters." Not content with their foolish protest, they held another meeting, over which Alexander O'Driscoll, Esq., of Clover Hill, presided, and at which it was resolved: 'That adopting the wise principle of the constitution, by which *property is made the standard of opinion*, we found it impossible, at the late aggregate meeting, amidst the tumult of the lowest populace, ignorant of necessity and misled by design, to ascertain the sense of the Catholics of this city and county.'

Nothing can better illustrate the state of society in Ireland in those days than these absurd proceedings Mr. O'Connell

threw himself, heart and soul, into the ranks of the people, and the "Protesters" were fairly extinguished. How was it possible for persons, resolving in the spirit of the above resolution, to obtain freedom? Who will assert they even deserved it? It was this ridiculous superciliousness on the part of the Catholic gentry that, for years and years, retarded the cause; and it was not until O'Connell, spurning their timidity and scorning their pride, boldly rode the whirlwind and directed the storm, that moral and religious liberty was at length achieved.

During O'Connell's childhood, the American war of independence was, as we have said in page 19, raging over land and sea. During the year 1813, he saw Britain plunged into a second American war. And, as when living at Valentia he gazed, with all his little being in his eyes, at an American privateer cruising ominously off the coast of Kerry, so in 1813, when living in Dublin, he saw an American frigate cruising threateningly in the vicinity of Dublin Bay. The emotions of early childhood as he watched the war ships of Paul Jones, were renewed in the prime of manhood as he saw looming in the distance another American cruiser, commanded by another daring rover. The republican brig *Argus*, in 1813, scoured the Channel, and spread alarm in Dublin by carrying the war into the very Bay, where the *Argus* captured English merchantmen, plundered, scuttled, and set them on fire almost in the sight of the citizens, and scared commerce from the Irish coast as a falcon banishes pigeons. From fifteen to twenty English ships were treated in this manner, in open defiance of England, and within a few miles of the metropolis. After filling Dublin with rumour, hubbub, and alarm, the bold cruiser sailed quietly down in a sublime solitude to Wexford, where, after a few days' buccaneering, in the early dawn of a morning in August, she spied a British man-of-war, the *Pelican*, bearing down upon her. The encounter of these two ships was a terrible one. The roar of cannon, the shouts of the combatants, the screams of the wounded, the fury of the struggle, were long remembered by the scared fishermen of the coast. The fight took place off Tuscar rock, and lasted forty-five minutes. The Americans fought admirably, and made a desperate and gallant defence against overwhelming odds. The captain's leg was swept off by a cannon ball, and he was flung pale and helpless on the deck in a pool of his own blood. The officers—particularly the first lieutenant—were all covered with wounds and torn with shot. The fury with which they fought, animated by their

deadly hatred of their English adversaries, is evinced by the fact that out of 130 men who constituted the crew, 25 were killed and many more wounded. The clock of the Post Office in Dublin was chiming a quarter to six on the morning of the 14th August, 1813, as the *Argus* was boarded and taken by the *Pelican*. She was towed away to Plymouth harbour, her masts splintered, her shrouds torn, her bulwarks stove in, her decks slippery with blood, and her men in irons.

One of the complaints which the English directed against O'Connell and the Catholic Board was connected with such fights as the preceding. O'Connell was accustomed to assert that it was not the English—it was the Irish who merited the renown of these victories, as the main body of the crew consisted of Irishmen. The *Annual Register* expressly complains that “the Irish were often told they alone achieved every triumph of English arms; and because the frigate which took the *Chesapeake* was named from an Irish river, it was announced that the men came from the banks of the Shannon.” This is an error—the Irish did not claim the laurel for so foolish a reason: it was not the name of the ship—it was the Irish names of the killed and wounded which taught O'Connell to assert that Britain was indebted for that naval victory to Irish valour. To vindicate the rights and the renown of his countrymen was the great mission of O'Connell, and he would deem it a dereliction of duty if he lost an opportunity of doing so. This might be a crime in the eyes of the churlish English; but it certainly endeared O'Connell to the hearts of the generous Irish.

“In the last war,” said Grattan, referring in 1792 to the first American contest, “of 80,000 seamen, 50,000 were Irish names; in Chelsea, near one-third of the pensioners were Irish names; in some of the men-of-war nearly the whole complement were Irish.” In 1810, Sir John Cox Hipplesley, in a remarkable speech, asserted that in the year 1780, “when fewer Catholics entered the service (than in 1810), the crew of the *Thunderer*, 74 guns, was composed two-thirds of Catholics,” or Irish. “The British navy,” says Sir Jonah Barrington, “was then (1782) manned by what were generally denominated *British* tars; but a large proportion of whom were in fact sailors of *Irish* birth and *Irish* feelings, ready to shed their blood in the service of great Britain whilst she remained the friend of Ireland; but as ready to seize and steer the British navy into Irish ports should she declare against their country. The mutiny at the Nore,” he adds, “confirms these observa-

tions. Had the mutineers at that time chosen to carry the British ships into an Irish port, no power could have prevented them; and had there been a strong insurrection in Ireland, it is more than probable they would have delivered more than one half of the English fleet into the hands of their countrymen." On the 17th October, 1796, Grattan asserted that without the Irish Catholics the British navy could not keep the sea. "What is the British navy?" he exclaims. "A number of planks? Certainly not. No; but a number of British and Irish. Transfer," says he, "the Irish seamen to the French, and where is the British navy?" Wolfe Tone, in 1796, says: "Let it never be forgotten that two-thirds of the British seamen, as they are called, are in fact Irishmen." "Is it not," asked Mr. Foster in parliament, alluding, in 1805, to the conduct of the Irish troops in Egypt—"is it not also proclaimed to the glory of that people, that the gallant Nelson was greatly indebted to their valour in the hour of danger, for the conquest he obtained over the fleet of the enemy on the coast of that country."

Sir John Hipplesey in the valuable parliamentary speech already adverted to, said (1810) that out of a list in his hand of 46 ships of the line, which at two different periods belonged to the Plymouth division, the Catholics greatly exceeded the Protestants in the majority of the vessels. In some of the first and second rates they formed nearly the whole; and in the naval hospital, about four years before, out of 476 sailors, no less than 363 were Catholics. In order to make the British navy invincible, it was only necessary, according to Lord Collingwood, to draft into it 5,000 Irish boys every year. If we suppose his lordship's suggestion acted upon every year from 1803 till the peace in 1814, Ireland, in addition to her previous numbers, would have contributed 35,000 to the British navy—a circumstance which accounts for the victory, in 1813, of the *Shannon* over the *Chesapeake*.*

There were few subjects on which O'Connell in private life conversed with more apparent satisfaction than his adventures when going circuit, and the inns at which he put up. "In 1780," said O'Connell, "the two members for the county Kerry, when preparing to visit Dublin, sent to the metropolis for a noddie. The noddie took eight days to get to Kerry, and they, when seated in it, took seventeen days to get to Dublin! Each night the two members, owing to the absence of inns, quartered themselves at the house of some friend; and

* "The Green Book," by J. C. O'Callaghan.

on the seventeenth day, they reached Dublin just in time for the commencement of the session." There were then (1780) no post-horses nor carriages, consequently very little travelling in Ireland; and if there had been, the ruts and holes would have rendered thirty miles a-day a good journey. Every English writer on Ireland found then in Irish inns inexhaustible materials for censure and ridicule. Their faults were to be found in slovenliness, bad meat, worse cookery, and—save the potato—few vegetables. There was, nevertheless, plenty of something or other always to be had to assuage hunger and thirst—abundance of fine eggs, smoked bacon, and often excellent chickens. They generally had capital claret, and always plenty of civility. The poor people, it was admitted, did their best to entertain their guest, but had neither furniture, nor money, nor credit, nor cattle, nor customers enough to keep things going well together. In 1813, the inns on the principal roads had greatly improved, and O'Connell in after life loved to recur to the social evening, after the long day's journey, at the blazing fire of the snug inn parlour—a fire peculiarly welcome when the night was cold, raw, and gusty outside. Speaking of the inn at Millstreet, he said: "The improved roads have injured that inn. I well remember when it was the regular end of the first day's journey from Tralee. It was a comfortable thing for a social pair of fellow-travellers to get out of their chaise at night-fall, and to find at the inn (it was then kept by a cousin of mine, a Mrs. Cotter) a roaring fire in a clean, well-furnished parlour, the whitest table-linen, the best beef, the sweetest and tenderest mutton, the fattest fowl, the most excellent wines (claret and madeira were the high wines there—they knew nothing about champagne), and the most comfortable beds. In my early days it was by far the best inn in Munster. But the new roads enable travellers to get far beyond Millstreet in a day; and the inn, being therefore less frequented than of old, is of course not so well looked after by its present proprietor."

The attributes of the inns which dotted the roads traversed by O'Connell in going circuit were very different. Some were famous for their breakfasts, some for their dinners, and some for their excellent wines. "There was the Coach and Horses inn at Assolas, in the county Clare, close to the bridge," said O'Connell. "What delicious claret they had there! It is levelled with the ground these many years. Then, there was that inn at Maryborough; how often have I seen the old trooper who kept it, smoking his pipe on the stone bench at the door, and his fat old wife sitting opposite him. They kept a right good

house. She inherited the inn from her father and mother, and was early trained up to the business. She was an only child and had displeased her parents by a run-away match with a private dragoon. However, they soon relented and received her and her husband into favour. The worthy trooper took charge of the stable department, for which his habits well adapted him; and the in-door business was admirably managed by his wife. Then, there was that inn at Naas, most comfortably kept—and excellent wine. I remember stopping to dine there one day posting up from the Limerick assizes. There were three of us in the chaise and one was tipsy; his eyes were bloodshot and his features swollen from hard drinking on the previous night, besides which he had tiddled a little in the morning. As he got out of the chaise, I called him ‘Parson!’ to the evident delight of a Methodist preacher, who was haranguing a crowd in the street, and who deemed his own merits enhanced by the contrast with a sottish minister of the Establishment.”

O’Connell’s conversation in these journeys was very interesting. Approaching from Ashbourne to Dublin, on one occasion, some objects of antiquity which Grose had illustrated recalled that antiquary to the Liberator’s mind. “Grose,” said he, “came to Ireland full of strong prejudices against the people, but they gave way beneath the influence of Irish drollery. He was very much teased, when walking through the Dublin markets, by the butchers besetting him for his custom. At last he got angry, and told them all to go about their business; when a sly, waggish butcher, deliberately surveying Grose’s fat, ruddy face and corpulent person, said to him, ‘Well, plaze your honour, I won’t ask you to buy since it puts your honour in a passion. But I’ll tell you how you’ll sarve me?’ ‘How?’ inquired Grose in a gruff growl. ‘Just tell all your friends that its Larry Heffernan that supplies your honour with *mate*, and never fear I’ll have custom enough.’”

O’Connell said that on one occasion he had a narrow escape of committing homicide about five miles from Nenagh. “I was very near being a guilty wretch there,” said he, indicating the spot as he passed it. “Some years ago, when this neighbourhood was much infested with robbers, I was travelling on circuit. My horses were not very good and just at this spot I saw a man whose movements excited my suspicions. He slowly crossed the road, about twenty yards in advance of my carriage, and awaited my approach with his back against the wall and his hand in the breast of his coat, as if ready to draw a pistol. I felt certain I should be attacked—so I held

my pistol ready to fire, its barrel resting on the carriage door. The man did not stir—and so escaped. Had he but raised his hand, I should have fired. Good God! what a miserable, guilty wretch I should have been! How sincerely I thank God for my escape from such guilt!”

In the August of 1813, O'Connell visited Limerick. While professionally engaged in the county court-house of that town, a warm altercation sprang up between himself and Counsellor Magrath, which resulted in an exchange of cards. The parties met in a field adjoining the old windmill—well known in Limerick as a frequent scene of affairs of honour. On this occasion O'Connell's second was Nicholas P. O'Gorman; Mr. Magrath's was a Mr. Bennett. When the parties alighted from their carriages, they arranged themselves in two distinct groups, and waited until the ground which should separate the combatants was measured, or “stepped”—a task, by mutual consent, confided to Mr. Bennett. O'Connell and Magrath had been led to their respective positions. They were waiting for the word of command, when they were interrupted by a number of gentlemen, mutual friends, who, arriving on the ground, insisted on interfering. A long conversation ensued between the seconds and these gentlemen. It was finally arranged that Magrath, standing on his fighting-place pistol in hand, should declare aloud that he lamented the past and was sorry for what had occurred. Before this was assented to, a Mr. Leader requested that, as O'Connell was well known to cherish no ill-feeling towards Magrath, he should say, standing in his fighting-place pistol in hand, that he was going to fight a man against whom he entertained no enmity. This proposal produced a long pause. An animated conversation ensued between the friends and seconds of both parties. Finally, at the earnest entreaty of mutual acquaintances, Nicholas P. O'Gorman assented to the arrangement. The two combatants then stepping forward, took their places a second time with loaded pistols in their hands. Magrath, raising his voice, declared that he was sorry for what had occurred—O'Connell, in a loud tone, averred that he entertained no enmity to Magrath. Advancing at the same moment, the two combatants, amid the acclamations and rejoicings of all present, warmly shook hands. They then entered the same carriage, and, conversing cheerfully on passing events, rolled into the city together. So great was the esteem in which both these gentlemen were held that a deep interest was awakened in Limerick by the affair, and

heartfelt congratulations were everywhere warmly expressed that it had ended as it did—to the honour of all parties.

Our readers have doubtless heard of the American lawyer whose client was charged with the illegal appropriation of a kettle. The lawyer pleaded as three counts in his case—first, that the kettle was cracked when borrowed; second, that it was whole when returned; and third, that it was never borrowed. In this case, as in all others, the counts in a lawyer's pleadings resemble the barrels of a revolver pistol. Precisely as you bring round the barrel of a revolver and level it at your enemy, the lawyer brings round his count and levels it at his opponent. If the first count miss fire, the second count is brought round again, and aimed again at the enemy. In this way count after count is successively levelled and discharged. If any one of these discharges takes effect, the combatant is overthrown, and driven, wounded and bleeding, out of court. The ability of O'Connell in this species of practice was matchless.

A single fact will demonstrate the confidence which the Irish public placed at this period in the professional abilities of O'Connell. In the autumnal assizes of 1813, twenty-six cases were tried in the Limerick record court. In every one of these O'Connell held a brief. He was likewise retained in every criminal case tried in the same city. His professional career was equally triumphant and extraordinary in the autumn assizes of Ennis. While in Cork, and his native province, Kerry, it was, that year, if possible, exceeded. At this golden period of his life, his prosperity, flowing from his brilliant abilities, and his popularity, springing from his country's gratitude, rendered his position at the bar in the highest degree enviable. His brief-bag was a ponderous load; and as few possessed the learning to note his briefs as he did, so few possessed the strength to carry that prodigious wallet of litigation with the ease which he manifested when cleaving his way through the crowds which congregated round the assize court, and to whom he was always an object of intense curiosity.—Wherever the "Counsellor" appeared, there also would the anxious groups collect to cheer him and observe him as he passed out, linked and in conversation with some assize friend or brother barrister. O'Connell derived from his forensic victories a degree of confidence which rendered it impossible to brook patiently the political degradation in which he was plunged as a Catholic. He was such a king in the courts of law and on the public platform, that he could not be the ac-

quiescent subject of unmerited inferiority. But if, in assailing the aristocracy and bearding the judges, he showed daring courage or haughty arrogance, he likewise exhibited the most tender compassion for the poor and oppressed, as the following case testifies: On Tuesday, 25th May, 1813, O'Connell, in the court of common pleas moved for a conditional order against the Rev. James Hamilton for illegal and oppressive conduct as a magistrate of the county of Tipperary, and in addressing the presiding judge said: "The facts of the case are really curious and would be merely ludicrous but for the sufferings inflicted on my client. The affidavits stated that a peasant girl named Hennessey had a hen which laid—not golden eggs—but eggs strangely marked with red lines and figures. She, on the 21st April, 1813, brought her hen and eggs to the town of Roscrea, near which she lived, and of which the defendant was the Protestant curate. It appeared by the result that she brought her eggs to a bad market, though at first she had some reason to think differently; for the curiosity excited by those eggs attracted some attention to the owner—and as she was the child of parents who were miserably poor, her wardrobe was in such a state that she might almost literally be said to be clothed in nakedness. My lord, a small subscription to buy her a petticoat was suggested by the person who makes the present affidavit, himself a working weaver of the town, James Murphy—and the sum of fifteen shillings was speedily collected. It was a little fortune to the poor creature—she kissed her hen, thanked her benefactors, and with a light heart started on her return home. But, *diis aliter visum*—at the moment two constables arrived with a warrant signed by the Rev. William Hamilton. This warrant charged her with the strange offence of a foul imposition. It would appear as if it were issued in some wretched jest arising from the sound not the sense. But it proved no joke to the girl, for she was arrested. Her hen, her eggs, and her fifteen shillings were taken into custody and carried before his worship. He was not at leisure to try the case that day. The girl was committed to Bridewell, where she lay a close prisoner for twenty-four hours, when his Rev. Worship was pleased to dispose of the matter. Without the mockery of any trial, he proceeded at once to sentence. He sentenced the girl to perpetual banishment from Roscrea. He sent her out of the town guarded by three constables—and with positive injunctions never to set foot in it again. He decapitated her hen with his own sacred hands. He broke the eggs and confiscated the

fifteen shillings. When the girl returned to her home—the fowl dead, the eggs broken, and the fifteen shillings in his reverence's pocket, one would suppose justice quite satisfied. But no, his worship discovered that Murphy had collected the offending money; he was therefore to be punished. He was, indeed, first tried—but under what law think you? Why, literally, my lords, under the statute of good manners. Yes, under that act, wherever it is to be found, was Murphy tried, convicted, and sentenced. He was committed to Bridewell where he lay for three days. The committal states “that he was charged on oath with having assisted in a foul imposition on public credulity—contrary to good manners.” These are the words of the committal; and he was ordered to be detained until he should give security—“for his good behaviour.” Such is the ridiculous warrant on which an humble man has been deprived of his liberty for three days. Such are the details given of the vexatious proceedings of the reverend magistrate. It was to be hoped that those details would turn out to be imaginary; but they are sworn to—positively sworn to, and require investigation—the more especially as motives of a highly culpable nature were attributed—he (O'Connell) hoped untruly attributed—to the gentleman. He was charged on oath with having been actuated by malice towards this wretched girl because she was a Catholic. It was sworn that his object was to establish some charge of superstition against her, upon no better ground than this—that one of those eggs had a mark on it nearly resembling a cross.” The court granted the rule applied for; but the Rev. Mr. Hamilton, scandalised and terrified by this exposure, privately compromised the affair by making compensation to the young and guiltless complainant.

The most popular paper in Ireland, in 1813, was the *Dublin Evening Post*. This popularity is in some degree evinced by a story which O'Connell used to tell with great glee, as demonstrative of native Kerry dexterity. “One day during the war, James Connor and I,” he said, “dined at Mr. Mahony's in Dublin, and after dinner we heard the newsvenders as usual calling out ‘*Post! Dublil Erelil Post!* Three packets in to-night's *Post!*’ The arrival of the packets was at that time irregular and eagerly looked for. We all were impatient for the paper, and Mahony gave a five-penny piece to his servant, a Kerry lad, and told him to go down and buy the *Post*. The boy returned in a minute with a *Dublin Evening Post*—which on opening we found, to our infinite chagrin, was a

fortnight old. The roguish newsvender had pawned off an old paper on the unsuspecting Kerry tiger. Mr. Mahony stormed, Connor and I laughed, and Connor said, 'I wonder, gossoon, how you let the fellow cheat you? Has not your master a hundred times told you that the dry papers are always old and good for nothing, and that new papers are always wet from the printing-office? Here's another five-penny. Be off now, and take care to bring us in a *wet Post*.' 'Oh, never you mind the fi-penny, sir,' said the boy—'I'll get the paper without it;' and he darted out of the room, while Mahony cried out: 'Hang that young blockhead! he'll blunder the business again.' But in less than five minutes the lad re-entered with a fresh, wet paper. We were all surprised, and asked him how he managed to get it without money. 'Oh, the aisiest way in life, your honour,' said the urchin; 'I just took the dry old *Post*, and cried it down the street a bit—*Dublin Evening Post!* *Dublin Evening Post!* and a fool of a gentleman meets me at the corner, and buys my ould dry paper. So I whips across to a newsman I sees over the way, and buys this fine, fresh, new *Post* for your honour with the money I got for the old one.'"

The celebrated trial of John Magee took place in 1813. John Magee was proprietor of the *Dublin Evening Post*. In that paper a review of the Irish viceroys who had preceded the Duke of Richmond was published on the occasion of the retirement of Richmond from Ireland. The article was written by the able pen of Denis Scully, the author of a work upon the penal laws. Denis Scully, whom we have alluded to in page 221, was the eldest son of a gentleman of large fortune in the county Tipperary. He had been called to the bar, possessed great abilities, and may be regarded as the successor of John Keogh of Mount Jerome in the management of Irish affairs. Upon his first entrance into public life he had written, it is alleged, some pamphlets in support of the government; and it was believed that his marriage to a lady who was related to Lady Hardwicke had given a determination to his opinions. His first writings, however, were merely juvenile effusions; and he afterwards felt that the only means of obtaining justice for Ireland was by awaking a deep sense of their injuries among the great mass of the people. Accordingly, the character of his compositions was materially changed; and from his study in Merrion-square there issued a succession of powerful and inflammatory writings. The wrongs of the country were presented in the most striking view; and while

the aristocracy looked with alarm on those eloquent and honest expositions of the condition of the country, the people were excited to a point of discontent to which they had never before been raised. He was greatly inferior to O'Connell as a speaker, but was considered fully as able in preliminary deliberation. The measures of the body were generally believed to be of his suggestion. The "witchery resolutions," as they are commonly designated, and which related to the influence of an enchantress of fifty over the prince,* were supposed to be his composition. He became an object of great detestation with the Protestant party, and of corresponding partiality with his own. His large property, his indefatigable industry, his profound sense of the injustice his country had suffered, and the eloquent simplicity with which he gave it expression, rendered him adequate to the part which had devolved upon him. His chief fault lay in the intemperate character of the measures which he recommended. His manner and aspect were in singular contrast and opposition to his political tendencies. In utterance he was remarkably slow and deliberate, and wanted energy and fire. His cadences were singularly monotonous, every sentence ending with a sort of see-saw of the voice which was by no means natural or agreeable. His gesture was plain and unaffected, and it was easier to discover his emotions by the trembling of his fingers than by his countenance; for his hand would, under the influence of strong feeling or passion, shake and quiver like an aspen-leaf, while his countenance looked like marble. It was impossible to detect his sensations in his features. A deep smile played over his mouth whether he was indulging in pleasurable or sarcastic observations. This gentleman wrote a book (his admirable digest of the penal code) which resulted in the imprisonment of Fitzpatrick the bookseller; and he wrote an article (a review of the viceroys of Ireland) which resulted in the incarceration of John Magee, proprietor of the *Evening Post*.

A prodigious sensation was excited in Dublin by the prosecution of John Magee. The hall of the Four Courts, that morning, was crowded to suffocation. Nothing could surpass the babble of the discussion, going on at every corner of the city, relative to the contingencies of the trial. It was not merely the prosecution itself, nor the popularity of the leading counsel and client—the leading articles, which still continued to appear undauntedly in the *Evening Post*, roused the popular excitement to something bordering on frenzy. "That

* See page 203.

part of the public which is worth thinking about," said Mr. Scully in the *Evening Post*, 3rd June, "will learn with regret that Mr. Magee, the proprietor of this paper, has been committed to prison at Kilmmainham for an alleged libel on the police magistrates. He is also under prosecution for a review of the Duke of Richmond's administration. This is the third Dublin printer who has been imprisoned under the conciliatory government of the Duke of Richmond; and though the government press teems with daily libels upon the whole population of the country, it is remarkable enough that not a single state prosecution has been instituted against it. God forbid we should counsel prosecution of the press at all; but, if it is to be prosecuted, why should it be an *ex-parte* prosecution? . . . Are not the government paid by the people? Aye, from the liveried footman at a birth-day levee, up to the higher menial who holds it—all are paid by the people." Then, after alluding to the imprisonment of Magee, "While he lives, though it be in a dungeon, the spirit of the press shall walk abroad, like the air of heaven, the pure impalpable vehicle of light and life to the community. Hear it, every titled plunderer of the people, for it shall penetrate into the recesses of your crimes! Hear it also, every enemy of Ireland—*Tros Tyrlosre*—Catholic pensioner or titled menial—hear it, and tremble! While that press lives,

‘No titled slave
Shall walk the world in comfort to his grave.’”

The attorney-general (Saurin), 26th July, 1813, opened the case. He said: "My lord, and gentlemen of the jury, it is a very painful part of the duty of the office which I hold under the crown to bring before you the present case. This is an indictment against the traverser, John Magee, for a libel on his grace the Duke of Richmond, the Lord Lieutenant of Ireland. The publication, gentlemen, is in a newspaper, entitled the *Dublin Evening Post*, of which the traverser, Mr. Magee, is the printer and publisher. . . . I shall proceed now to call your attention to the publication in question. It is entitled, 'The Duke of Richmond.' Those parts of it which are stated in the indictment I shall now read to your lordship and the jury:

"As the Duke of Richmond will shortly retire from the government of Ireland, it has been deemed necessary to take such a review of his administration as may at least warn his successor from pursuing the errors of his grace's conduct.

The review shall contain many anecdotes of the Irish court which were never published, and which were so secret that his grace will not fail to be surprised at the sight of them in a newspaper.

“‘If the administration of the Duke of Richmond had been conducted with more than ordinary talent, its errors might, in some degree, have been atoned for by its ability, and the people of Ireland, though they might have much to regret, yet would have something to admire; but truly, after the gravest consideration, they must find themselves at a loss to discover any striking feature in his grace’s administration that makes it superior to the worst of his predecessors.’

“The writer first states that the duke was not superior to the worst of his predecessors, and then proceeds to describe those worst of lord lieutenants: ‘They insulted, they oppressed, they murdered, and they deceived. The profligate, unprincipled Westmoreland, the cold-hearted and cruel Camden, the artful and treacherous Cornwallis, left Ireland more depressed and divided than they found her. They augmented the power of the government both in the military and civil branches, they increased coercion and corruption, and uniformly employed them against the liberties of the people.’ This is a description of the men whom the Duke of Richmond has succeeded. Is it not a corrupt libel on our gracious king that he should have selected from his nobility such a succession of monsters? ‘They insulted, they oppressed, they murdered, and they deceived.’ This is a description of the line of his predecessors. One would think that we were reading an account of the vilest of the Roman emperors. And the Duke of Richmond is not superior to the worst of these! He is an oppressor, a murderer. Gentlemen, at the end of a long and honourable career, when every good and loyal man is mourning the departure of perhaps the best chief governor that Ireland ever saw, it is melancholy to think that there should be found a ruffian who could compose and deliberately publish so malignant, so atrocious a calumny. But I do not conceive that in this part of the libel his chief object is to insult the Duke of Richmond. If he had such an object in view, little does he know the character he was traducing. The armour which honour and integrity threw around him render him as invulnerable as he is insensible to such attacks as these. If the libel only related to him, it would have gone by unprosecuted by me. But the imputation is made against the administration of justice by the government of Ireland, and it forms only a

part of a system of calumny with which an association of factious and revolutionary men are in the habit of villifying every constitutional authority in the land. If anything was wanting to confirm this being the true object of this libel, it is only necessary to read further: 'The consequence was, the country was regularly abandoned to its old distractions, with whatever additional disgrace the enduring a succession of bad administrations heaps upon the character of a nation. Since that period the complexion of the times has changed—the country has advanced—it has outgrown submission, and some forms at least must now be observed towards the people. The system however is all the same—it is the old play with new decorations, presented in an age somewhat more enlightened—the principle of government remains unaltered, a principle of exclusion which debars the majority of the people from the enjoyment of those privileges that are possessed by the minority, and which must therefore maintain itself by all those measures necessary to a government founded on injustice.'

"Another part of the libel is in these words: 'Although his grace does not appear to know what are the qualities necessary for a judge in Canada, or for an *aide-de-camp* in waiting at court, he surely cannot be ignorant what are the requisites for a lord lieutenant. Therefore, were an appeal to be made to him in a dispassionate and *sober* moment, we might candidly confess that the Irish would not be disappointed in their hope of a successor, though they would behold the same smiles, experience the same sincerity, and witness the same disposition towards conciliation. What though they were deceived in 1795, and found the mildness of a Fitzwilliam a false omen of concord—though they were duped in 1800, and found that the privileges of the Catholics did not follow the extinction of the parliament; yet at his departure he will, no doubt, state good grounds for future expectation—that his administration was not the time for Emancipation, but that the season is fast approaching—that there were *existing circumstances*, but that now they might calculate on the warm intervention of the prince—that they should continue to worship the false idol—that their cries must at last be heard—and that if the prince has not complied, it is only because the viceroy has not spoken. In short, his grace will in no way vary from the uniform conduct observed by most of his predecessors—first appealing to the confidence of the people, then playing upon their credulity. He came over ignorant, he soon became prejudiced, and then became intemperate. He takes from the people their money;

he eats of their bread and drinks of their wine—in return he gives them a bad government, and at his departure leaves them more distracted than ever. His grace commenced his reign by flattery, he continued it in folly, he accompanied it with violence, and he will conclude it with falsehood. This opinion of his grace's administration has been formed after deliberation—it is confirmed on reflection. Hence it is that the errors of his conduct appear as much deserving of regret on his own account as on that of the country that he governs. Had he remained what he first came over, or what he afterwards professed to be, he would have retained his reputation for honest, open hostility—defending his political principles with firmness, perhaps with warmth, but without rancour; the supporter and not the tool of an administration; a mistaken politician perhaps, but an honourable man and a respectable soldier. His party would have been proud of him, his friends would have praised (they need not have flattered him), and his enemies, though they might have regretted, must have respected his conduct; from the worst quarter there would have been some small tribute of praise—from none any great portion of censure; and his administration, though not popular, would have been conducted with dignity and without offence.

“ ‘This line of conduct he has taken care to avoid—his original character for moderation he has forfeited; he can lay no claim to any merit for neutrality, nor does he even deserve the cheerless credit of defensive operations. He has begun to act—he has ceased to be a dispassionate chief-governor, viewing the wickedness and the folly of faction with composure and forbearance. He descends—he mixes with the throng—he becomes personally engaged, and, having lost his temper, calls forth his private passions to support his public principles. He is no longer an indifferent viceroy, but a frightful partisan of an English ministry, whose base passions he indulges, whose unworthy resentments he gratifies, and on whose behalf he at present canvasses.’ Gentlemen of the jury, this is the language of a subject to the representative of majesty. In such audacious and seditious language does this ruffian traduce and vilify the public functionaries of the state, so as to threaten the public peace and the security of the government. How can we expect submission to the law, so necessary to the well-being of the state, if those whom God and the law have constituted our governors are to be held up to hatred and detestation—as prone to every vice and destitute of every private and public virtue? The tremendous li-

centiousness of the press calls for the interposition of the law. The state of the public press at this day is beyond the licentiousness of all former times and precedents. We remember the state of the press in the year which preceded the rebellion, to the instrumentality of which, in a great degree, that rebellion must be attributed; and I do most seriously aver, that the press at this day goes beyond anything to which the press at that time went. I do say, that there was nothing so inflammatory, so seditious, or more atrocious to be found in the *Press* or the *Northern Star* than at present exists in the *Irish Magazine*, the *Statement of the Penal Code*, and the *Dublin Evening Post*."

After some further observations from the attorney-general, he called up witnesses, and proved the publication.

The counsel for the prosecution were able lawyers. They were, the attorney-general, the solicitor-general, Sergeants Moore, Ball, and M'Mahon. The counsel for the defendant were Messrs. O'Connell, Wallace, Hamilton, Finlay, and Philips.

"The attorney-general," said O'Connell for the defence, "told us that *they*—meaning the Duke's predecessors—included, of course, himself. How a man could be included among his own predecessors it would be difficult to discover. It seems to be that mode of expression which would indicate that the attorney-general, notwithstanding his foreign descent, has imbibed some of the language of the native Irish. But our blunders arise, not like his, from a confusion of idea; they are generally caused by too great condensation of thought—they are indeed frequently of the head, but never, never of the heart. Would I could say so much for the attorney-general; his blunder is not to be attributed to his cool and cautious head—it sprung, I much fear, from the misguided bitterness of the bigotry of his heart. Well, gentlemen, this sentence does, in broad and distinct terms, charge the predecessors of the duke, but not the duke himself, with insult, oppression, murder, and deceit. But it is history, gentlemen. Are you prepared to silence the voice of history? Are you disposed to suppress the recital of facts—the story of the events of former days? Is the historian, and the publisher of history, to be exposed to indictment and punishment? Let me read for you two passages from Dr. Leland's *History of Ireland*. I choose a remote period, to avoid shocking your prejudices by the recital of the more modern crimes of the faction to which most of you belong. Attend to this passage, gentlemen: 'Anno 1574.—A solemn peace and concord was made between the

Earl of Essex and Felim O'Nial. However, at a feast wherein the Earl entertained that chieftain, and at the end of their good cheer, O'Nial, with his wife, were seized; their friends who attended were put to the sword before their faces. Felim, together with his wife and brother, were conveyed to Dublin, where they were *cut up in quarters*.' How would you have this fact described? In what lady-like terms is the future historian to mention this savage and brutal massacre. Yet Essex was an English nobleman—a predecessor of his Grace; he was accomplished, gallant, and gay—the envied paramour of the virgin queen; and if he afterwards fell on the scaffold, one of the race of the ancient Irish may be permitted to indulge the fond superstition that would avenge the royal blood of the O'Nial and of his consort on their perfidious English murderer.

“But my soul fills with bitterness, and I will read of no more Irish murders. I turn, however, to another page, and I will introduce to your notice another predecessor of his Grace the Duke of Richmond. It is Grey, who, after the recall of Essex, commanded the English forces in Munster. The fort of Smerwick, in Kerry, surrendered to Grey at discretion. It contained some Irish troops, and more than 700 Spaniards. The historian shall tell you the rest: ‘That mercy for which they sued was rigidly denied them. Wingfield was commissioned to disarm them; and when this service was performed, an English company was sent into the fort. The Irish rebels found they were reserved for execution by martial law. The Italian general and some officers were made prisoners of war—but the garrison *was butchered in cold blood*; nor is it without pain that we find a service so horrid and detestable committed to Sir Walter Raleigh.’ ‘The garrison was butchered in cold blood,’ says the historian. Furnish us, Mr. Attorney-General, with gentle accents and sweet words to speak of this savage atrocity; or will you indict the author? Alas! he is dead, full of years and respect—as faithful an historian as the prejudices of his day would allow, and a beneficed clergyman of your church.

“Gentlemen of the jury, what is the mild language of this paper compared with the indignant language of history? Raleigh—the ill-starred Raleigh—fell a victim to a tyrant master, a corrupt or overawed jury, and a virulent attorney-general; he was baited at the bar with language more scurrilous and more foul than that you heard yesterday poured upon my client. Yet, what atonement to civilization could his death afford for

the horrors I have mentioned? Decide now, gentlemen, between those libels—between that defamer's history and my client. He calls those predecessors of his grace, murderers. History has left the living records of their crimes—from the O'Nial, treacherously slaughtered, to the cruel, cold butchery of the defenceless prisoners. Until I shall see the publishers of Leland and of Hume brought to your bar, I defy you to convict my client. To show you that my client has treated these predecessors of his grace with great lenity, I will introduce to your notice one, and only one more of them; and he, too, fell on the scaffold—the unfortunate Strafford, the best servant a despotic king could desire.

“Amongst the means taken to raise money in Ireland for James I. and his son Charles, a proceeding called ‘a commission to inquire into defective titles’ was invented. It was a scheme, gentlemen, to inquire of every man what right he had to his own property, and to have it solemnly and legally determined that he had none. To effectuate this scheme required great management, discretion, and integrity. First, there were 4,000 excellent horse raised for the purpose of being, as Strafford himself said, ‘good lookers-on.’ The rest of the arrangement I would recommend to modern practice—it would save much trouble. I will shortly abstract it from two of Strafford's own letters. The one appears to have been written by him to the lord treasurer; it is dated the 3rd December, 1634. He begins with an apology for not having been more expeditious in this work of plunder—for his employers were, it seems, impatient at the melancholy waste of time. He then says: ‘Howbeit, I will redeem the time as much as I can, with such as may give furtherance to the king's title, *and will inquire out fit men to serve upon the juries.*’ Take notice of that, gentlemen, I pray you; perhaps you thought that the ‘packing of juries’ was a modern invention—a new discovery. You see how greatly mistaken you were; the thing has example and precedent to support it—and the authority of both are, in our law, quite conclusive.

“The next step was to corrupt—oh, no; to interest the wise and learned judges. But commentary becomes unnecessary when I read for you this passage from a letter of his to the king, dated the 9th of December, 1636: ‘Your majesty was graciously pleased, upon my humble advice, to bestow four shillings in the pound upon your lord chief justice and lord chief baron in this kingdom, fourth of the first yearly rent raised upon the commission of defective titles, which, *upon ob-*

serration, I find to be the best given that ever was. For now they do intend it, with a care and diligence, such as if it were their own private and most certain gaining to themselves; every four shillings once paid shall better your revenue for ever after at least five pounds.' Thus, gentlemen of the jury, all was ready for the mockery of law and justice called a trial.

"Now let me take any one of you; let me place him here, where Mr. Magee stands; let him have his property at stake; let it be of less value, I pray you, than a compensation for two years' imprisonment; it will, however, be of sufficient value to interest and rouse all your agony and anxiety. If you were so placed here, you would see before you the well-paid attorney-general, perhaps, malignantly delighted to pour his rancour upon you; on the bench would sit the corrupt and partisan judge, and before you, on that seat which you now occupy, would be placed the packed and predetermined jury. I beg, sir, to know what would be your feelings, your horror, you rage; would you not compare the attorney-general to the gambler who played with a loaded die—and then you would hear him talk, in solemn and monotonous tones, of his conscience! Oh, his conscience, gentlemen of the jury!

"But the times are altered. The press—the press, gentlemen, has effectuated a salutary revolution; a commission of defective titles would no longer be tolerated; the judges can no longer be bribed with money, and juries can no longer be—I must not say it. Yes, they can, you know—we all know they can be still *inquired out*, and 'packed,' as the technical phrase is. But *you*, who are not packed—*you*, who have been *fairly* selected, will see that the language of the publication before us is mildness itself compared with that which the truth of history requires—compared with that which history has already used.

"I proceed with this alleged libel. The next sentence is this: 'The profligate, unprincipled Westmoreland.' I throw down the paper and address myself in particular to some of you. There are, I see, amongst you some of our Bible distributors, and of our 'suppressors of vice.' Distributors of Bibles, suppressors of vice—what call you profligacy? What is it you would call profligacy? Suppose the peerage was exposed to sale, set up at open auction—it was at that time a judicial office. Suppose that its price—the exact price of this judicial office, was accurately ascertained by daily experience—would you call that profligacy? If pensions were multiplied beyond bounds and beyond example—if places were augmented until invention was exhausted, and then were subdivided and

split into halves, so that two might take the emoluments of each, and no person do the duty—if these acts were resorted to in order to corrupt your representatives, would you, gentle suppressors of vice, call that profligacy? If the father of children selected in the open day his adulterous paramour—if the wedded mother of children displayed her crime unblushingly—if the assent of the titled or untitled wittol to his own shame was purchased with the people's money—if this scene—if these were enacted in the open day, would you call that profligacy, sweet distributors of Bibles? The women of Ireland have always been beauteous to a proverb; they were without an exception chaste beyond the terseness of a proverb to express; they are still as chaste as in former days, but the depraved example of a depraved court has furnished some exceptions, and the action for criminal conversation, before the time of Westmoreland unknown, has since become more familiar to our courts of justice.

“Call you the sad example which produced those exceptions—call you *that* profligacy, suppressors of vice and Bible distributors? The vices of the poor are within the reach of control; to suppress them, you can call in aid the churchwarden and the constable; the justice of the peace will readily aid you, for he is a gentleman—the court of sessions will punish those vices for you by fine, by imprisonment, and if you are urgent, by whipping. But, suppressors of vice, who shall aid you to suppress the vices of the great? Are you sincere, or are you, to use your own phraseology, whitewashed tombs—painted charnel-houses? Be ye hypocrites? If you are not—if you be sincere (and, oh, how I wish that you were)—if you be sincere, I will steadily require to know of you, what aid you expect to suppress the vices of the rich and great? Who will assist you to suppress those vices? The churchwarden?—Why he, I believe, handed *them* into the best pew in one of your cathedrals, that they might lovingly hear divine service together. The constable? Absurd! The justice of the peace? No, upon his honour. As to the court of sessions, you cannot expect it to interfere; and, my lords, the judges are really so busy at the assizes, in hurrying the grand juries through the presentments, that there is no leisure to look after the scandalous faults of the great. Who then, sincere and candid suppressors of vice, can aid you?—*The Press*. The press alone talks of the profligacy of the great; and, at least, shames into decency those whom it may fail to correct. The press is your only assistant. Go then, men of conscience, men of

religion—go then, and convict John Magee because he published that Westmoreland was profligate and unprincipled as a lord lieutenant—do, convict; and then return to your distribution of Bibles and to your attacks upon the recreations of the poor, under the name of vices! Do, convict the only aid which virtue has, and distribute your Bibles that you may have the name of being religious; upon your sincerity depends my client's prospect of a verdict. *Does he lean upon a broken reed?* I pass on from the sanctified portion of the jury which I have latterly addressed, and I call the attention of you all to the next member of the sentence—'The cold-hearted and cruel Camden.' Here I have your prejudices all armed against me. In the administration of Camden, your faction was cherished and triumphant. Will you prevent him to be called cold and cruel? Alas! to-day, why have I not men to address who would listen to me for the sake of impartial justice! But even with *you* the case is too powerful to allow me to despair. Well, *I do* say, the cold and cruel Camden. Why, on *one circuit*, during his administration, there were *one hundred individuals tried before one judge—of these ninety-eight were capitally convicted, and ninety-seven hanged!* I understand *one* escaped; but he was a *soldier* who murdered a *peasant*, or something of that TRIVIAL nature. *Ninety-seven* victims in one circuit! In the meantime, it was necessary for the purposes of the Union that the flame of rebellion should be fed. The meetings of the rebel colonels in the north were, for a length of time, regularly reported to government—but the rebellion was not then ripe enough; and whilst the fruits were coming to maturity under the fostering hand of the administration, the wretched dupes atoned on the gallows for allowing themselves to be deceived. In the meantime the soldiery were turned in at free-quarters amongst the wives and daughters of the peasantry!

“Have you heard of Abercrombie, the valiant and the good—he who, mortally wounded, neglected his wound until victory was ascertained—he who allowed his life's stream to flow unnoticed because his country's battle was in suspense—he who died the martyr of victory—he who commenced the career of glory on the land, and taught French insolence (than which there is nothing so permanent—even transplanted, it exhibits itself to the third and fourth generation)—he taught French insolence that the British and Irish soldier was as much his superior by land as the sailor was confessedly by sea—he, in short, who commenced that career which has since placed the Irish Wellington on the highest pinnacle of glory. Aber-

crombie and Moore were in Ireland under Camden. Moore, too, has since fallen at the moment of triumph—Moore, the best of sons, of brothers, of friends, of men—the soldier and the scholar—the soul of reason and the heart of pity—Moore has, in documents of which you may plead ignorance, left his opinions upon record with respect to the cruelty of Camden's administration. But you all have heard of Abercrombie's proclamation—for it amounted to that; he proclaimed that cruelty in terms the most unequivocal; he stated to the soldiery and to the nation that the conduct of the Camden administration had rendered 'the soldiery formidable to all but the enemy.' Was there no cruelty in thus degrading the British soldier? And say, was not the process by which that degradation was effectuated cruelty? Do, then, contradict Abercrombie upon your oaths, if you dare; but by doing so it is not my client alone you will convict—you will also convict yourselves of the foul crime of perjury.

"I now come to the third branch of this sentence; and here I have an easy task. All, gentlemen, that is said of the artificer and superintendent of the Union is this: 'the artful and treacherous Cornwallis.' Is it necessary to prove that the Union was effectuated by artifice and treachery? For my part, it makes my blood boil when I think of the unhappy period which was contrived and seized on to carry it into effect. One year sooner, and it would have made a revolution—one year later, and it would have been for ever impossible to carry it. The moment was artfully and treacherously seized on, and *our* country, that *was* a nation for countless ages, has dwindled into a province, and her name and her glory are extinct for ever. I should not waste a moment upon this part of the case but that the gentlemen at the other side, who opposed that measure, have furnished me with some topics which I may not, cannot omit. Indeed, Mr. Magee deserves no verdict from any Irish jury who can hesitate to think that the contriver of the Union is treated with too much lenity in this sentence; he fears your disapprobation for speaking with so little animosity of the artificer of the Union. There was one piece of treachery committed at that period at which both you and I equally rejoice—it was the breach of faith towards the leading Catholics. The written promises made them at that period have been since printed; I rejoice with you that they were not fulfilled. When the Catholic trafficked for his own advantage upon his country's miseries, he deserved to be deceived. For this mockery I thank the Cornwallis administration. I rejoice,

also, that my first introduction to the stage of public life was in the opposition to that measure. In humble and obscure distance I followed the footsteps of my present adversaries. What their sentiments were then of the authors of the Union I beg to read to you. I will read them from a newspaper set up for the mere purpose of opposing the Union, and conducted under the control of these gentlemen. If their editor should be gravely denied, I shall only reply—‘Oh, cease your funning!’* The charge of being a Jacobin was at that time made against the present attorney-general—him, plain William Saurin—in the very terms, and with just as much truth as he now applies it to my client. His reply shall serve for that of Mr. Magee. I take it from the *Anti-Union* of the 22nd March, 1800. ‘To the charge of Jacobin, Mr. Saurin said he knew not what it meant, as applied to him—except it was an opposition to the will of the British minister!’ So says Mr. Magee; but gentlemen, my eye lights upon another passage of Mr. Saurin’s, in the same speech from which I have quoted the above. It was in these words: ‘Mr. Saurin admitted that debates might sometimes produce agitations; but that was the price necessarily paid for liberty.’ Oh, how I thank this good Jew for the word. Yes, agitation is, as Mr. Saurin well remarked, the price necessarily paid for liberty. We have paid the price, gentlemen, and the honest man refuses to give us the goods (much laughing). Now, gentlemen, of this Mr. Saurin, then an agitator, I beg leave to read the opinion upon this Union, the author of which we have only called artful and treacherous. From this speech of the 13th March, 1800, I select those passages: ‘Mr. Saurin said he felt it his duty to the crown, to the country, and to his family, to warn the minister of the dreadful consequences of persevering in a measure which the people of Ireland almost unanimously disliked.’ And again—‘He, for one, would assert the principles of the glorious revolution, and boldly declare in the face of the nation that when the sovereign power dissolved the compact that existed between the government and the people, that moment the right of resistance accrues. Whether it would be prudent in the people to avail themselves of that right would be another question. But if a Legislative Union were forced on the country against the will of its inhabitants, it would be a *nullity*, and resistance to it would be a *struggle against usurpation*, and not a *resistance against law*.’ May I be permitted just to observe,

* A pamphlet under this title was published by the solicitor-general; it was full of wit and talent.

how much more violent this agitator of the year 1800 than we, poor and timid agitators of the year 1813. When did we talk of resistance being a question of prudence? Shame upon the men who call us intemperate, and yet remember their own violence."

The fierce severity of O'Connell's attack seemed to be felt acutely by the attorney-general. In the first instance, he seemed amazed at the intrepid courage of this invective, which branded him as a libeller before the court, a calumniator in the face of the country, and to his beard a liar; but surprise seemed gradually to give place to agony. To be thus held up to hatred and ridicule in the presence of his own sons and of the leading members of the government, and in the centre of a court crowded with a vast auditory, must have been exquisitely painful to his feelings. Even his enemies were moved to pity by his visible agony—the writhings of his frame, the contortions of his countenance, the green and livid hue that alternately succeeded the faint flushings of his quivering cheek. It was to little purpose that the commander of the forces, who sat under the bench, Lord Kinnaird, Robert Peel, and the chancellor of the exchequer, endeavoured to console him with kind whispers, and soothe him with looks of sympathy. The sweat trickled down his forehead, his lips were as white as ashes, his jaws elongated, and his mouth unconsciously open.

Saurin—a Frenchman in face, a Scotchman in character—was an Orangeman by choice. He was the grandson of a French Protestant who sought an asylum in Ireland after the revocation of the Nantes' edict. His appearance was that of a worldly and sagacious man—sly, cunning, and considerate; not ungenerous, but by no means exalted; with some sentiment, and no sensibility; more acute than comprehensive—more subtle than refined; a man of point and of detail; a lover of usage and an enemy to innovation. He was something of a republican by nature, but fashioned by circumstances into a tory; moral, but not pious; decent, but not devout. His passions were violent, and rather covered than suppressed. There was no fraud about him, but there was a disguise of his emotions which bordered upon guile. He was wholly free from vulgarity, and quite denuded of accomplishment. There was an intimation of slowness and suspicion in his gait, and the spirit of caution seemed to regulate his movements. His demeanour bespoke neither dignity nor meanness. His French origin was legibly expressed in his lineaments. The Huguenot was stamped upon his face; he was not only a Frenchman in colour, but a

Calvinist in expression. His forehead was thoughtful, but neither bold nor lofty. It was furrowed by long study and recent care. His eye was black and wily, and glittered under a mass of rugged and shaggy eyebrows. There was a want of intellectual elevation in his aspect; but he had a cautious shrewdness and a discriminating perspicacity. His countenance had much deliberate consideration, but little depth or wisdom.

Strange to say, Saurin was at one time popular in Ireland. When the Union was proposed, he threw himself into an indignant opposition to the measure. He called the bar together; and upon his motion, a resolution was passed protesting against the merging of his country in the imperial amalgamation. He denied the right of the Irish legislature to alienate its sacred trust. He insisted that it would amount to a forfeiture of that estate which was derived from and held under the people, in whom the reversion must perpetually remain. Saurin thus obtained a well-merited popularity. His efforts were strenuous and unremitting, but could not avail. Lord Castlereagh succeeded to the full extent of his undertaking. When the Catholic Board assumed an attitude of defiance—when the press became daily more violent, and teemed with articles envenomed with the most deleterious truth, Saurin was suddenly converted from a previous neutrality into the most violent opponent of Roman Catholic Emancipation. There appeared to be a great inconsistency between his horror of the Union and his antipathy to the Catholics. Prosecutions were instituted and conducted by Saurin; he obtained verdicts—but his character and his peace of mind were affected by his ignominious success, and he grew into an object of national detestation.

As a lawyer, no man was better versed in putting facts than Saurin. He could invest the most hopeless and, we might add, the most dishonest cause, with a most deceitful plausibility; and the total absence of all effort, and the ease and apparent simplicity of his manners, gave him at times a superiority even to Plunket himself.

The article for which Magee was prosecuted consisted of nine columns. It came out in three successive numbers of the *Evening Post*. The object of the Duke of Richmond, according to the article, was to establish a military government, and to rule Ireland with the bayonet. Hence, the great number of barracks which he erected all over the surface of the kingdom. As a preparation for a government of courts-martial, he perverted though he did not dispense with the law. When he was gone, the Irish would look back upon his memory as

he looked down upon their sufferings. It would be no great burthen to their memory to remember the complaints he redressed, the harmony he diffused, and the morality he practised. The following extract is perhaps the only part of the article which strictly speaking can be termed a review: "The duke," it stated, "is at present in almost open hostility with the Catholic population. He advances their enemies, he postpones their friends; he exerts himself personally against them. Under his administration, Mr. Giffard was made accountant-general, and was superannuated on full salary a-year after his acceptance of office. Doctor Duigenan was made privy councillor. Mr. Hare, the police magistrate who dispersed the Catholic Committee, was made commissioner of appeals. Captain Stanhope was removed from his military rank for speaking favourably of the Catholics. The grant to the Catholic college was reduced; the Catholics were refused admittance as bank directors. An illegal letter of arrest was issued against the Catholic meetings. A proclamation mis-stating the law of the land was issued against the Catholic Committee. The Catholic delegates were prosecuted; the Catholic printers were attached. On the trials, the government interfered with the juries; they selected their own jurymen. They spread abroad reports that the Catholics were to rise and murder the Protestants. They supported the anti-Catholic candidates at the elections. They set on foot Protestant petitions and grand jury addresses against the Catholics. . . . Would that wrong-headed man—that clumsy capacity, Lord Dysart, have signed the requisition for the Protestant meeting in Kilkenny if he had not been set on by his grace's party? Would that ignoble-minded, prosing Colonel Wingfield have circulated the requisition for the county Wicklow unless there was some private machinery to set in motion his vulgar and ignorant activity? Would a similar requisition have been signed in three counties by Lord Monck if his lordship was not aware that it would please his grace—perhaps facilitate his promotion. It was not enough that this young nobleman's father should sell himself to a former ministry for the title of viscount—his son must sell himself to another for the title of earl. One might have supposed that Mr. Gregory, his relative in Dublin Castle, and Lord Clancarty, another relative, together with Viscount Castlereagh, would have succeeded in gratifying his lofty ambition. But his lordship knows the virtues of his lineage would be sullied unless his servile compliance was added to the submissive services of his relations."

But perhaps another article which appeared in the *Post* while Magee was in prison, constituted the real ground of offence. The following, which was published on the 16th July, 1813, in reference to the decoration of King William's statue on the 12th, was, we suspect, the real stimulant to governmental severity. The Orange papers had identified the patriotism of the Catholics with the tyranny of James II. The *Post* addressed the Duke on this subject: "Your grace is proud of your Stuart descent," said the *Post*; "we know it. Your plate and your pictures—your medals, insignia, and heraldic devices—your motto and your crest—the bar through the crown emblazoned on your carriage—the ostentatious display of the silver on your sideboard, evidently show that you adopt an opinion, that it is a prouder and a better thing to be a rich man's bastard than a poor man's heir. The Catholics served your family long; they never received anything from them but injury. They served in various countries under various princes of your house. They never found any of them other than a tyrant. They had often been ruled by Protestant and Catholic princes of your house; they never were ruled without being scourged by them. They have often had their hopes excited by your family; and just as often they have had their best interests betrayed by them. Then why should the Catholics be insulted on their account? May it please your grace, if any one should be insulted for this connexion, why not yourself? We do not say that either you or the Catholics should be insulted: neither are to blame. *Their* connexion with that family should no more be laid to their account than *your* connexion to your account. They share not in the dishonour of the unprincipled king who terminated that regal line, more than you do in the disgrace of the unprincipled, adulterous harlot who commenced your ducal line. The Catholics are no more justly chargeable with the crime and bigotry of a coward king, than you could be justly chargeable with the compound turpitude of a perjured English tyrant and a prurient Gallic w——."

Could we suppose the feelings of the Catholics mirrored in this article, it would prove that they were animated with an untameable spirit of liberty. But such was not the case. It was the leaders—Scully and O'Connell—who were fired by this inextinguishable spirit. The officers of the national army would lead, if the rank and file would follow. But they would not. The latter were animated by an intense hatred of their oppressors rather than by a fervent love of liberty. They

fastened nick-names on the Duke of Richmond which showed the bitterness of their antipathy. They called him the "Duke of Poteen," and the "Marshal of Mogherow." Mogherow was the scene of an Orange riot which he approved of. The following squib is a specimen of the lighter warfare that preceded the pitched battle, and rendered the collision inevitable :

"Who's this ?

What's this ?

This is the holy Catholic Board,
With fifty thousand grievances stored !

"Who's this ?

What's this ?

This is the Marshal from Mogherow—
The Duke of Poteen, whom nothing can cow !
Determined to batter the Catholic Board,
With its fifty thousand grievances stored.

"Who's this ?

What's this ?

This is the dignified Doctor Dromgoole,
Who swears by his snuff-box that he'll make a fool
Of the valiant Marshal from Mogherow—
The Duke of Poteen, whom nothing can cow !
Determined to batter the Catholic Board,
With its fifty thousand grievances stored.

"Who's this ?

What's this ?

This is the pompous Sir Plausible Bushe,
Vowing to God he don't care a rush
For fifty such nobs as Doctor Dromgoole !
Who swears by his snuff-box that he'll make a fool
Of the valiant Marshal from Mogherow—
The Duke of Poteen, whom nothing can cow !"

The terror and vexation with which O'Connell's defence of Magee overwhelmed Saurin was not confined to that official—it embraced at once the whole of the Irish Orangemen, who shuddered and turned pale at the courage with which O'Connell bearded the insolence of office, and flung defiance in the teeth of the first law-officer of the crown. All that class of men who saw with satisfaction the bridges of Dublin, in 1798, garnished with trunkless heads, and the mangled backs of the lacerated "Papists" bleeding under the lash, apprehensive of retribution for their cruelties, trembled at this outburst of patriotic eloquence, like the white-faced culprit before the black-capped judge. As J. Giffard* said in the corporation on the

* See page 198.

day of the trial: "The Protestants of the metropolis are frightened." Of course he could not mean the liberal Protestants, who, in common with the Catholics, rejoiced at the spirit and dignity with which O'Connell chastised the intemperance and trampled on the vanity of the attorney-general, and proved that the Irish bar still felt the vital throb of liberty. Giffard meant the men who still longed for the "riding-house," the whip-cord, and the triangle of the executioner.

The government meantime were filled with confusion on finding that the spirit of the country, though sleeping, was not dead. At the orders of the aristocracy, the press which echoed their opinions assailed O'Connell with fierce and, in some instances, ridiculous vituperation. The *Patriot* compared O'Connell to "a bandy-legged dancing-master." The *Dublin Journal* denominated him "a ruffian." Another journalist challenged O'Connell to fight him "hilt to hilt." While a fourth talked of "the hereditary atrocities and recent bold criminalities of the Popish faction." They were all stung to fury by his triumphant exposure of the bigotry and weakness of the attorney-general. The following passage seemed to give them particular pain:

"But, gentlemen, is the attorney-general at liberty to change the nature of things with his own official and professional prospects? I am ready to admit that he receives thousands of pounds by the year of the public moneys in his office of attorney-general—thousands from the crown solicitor—thousands, for doing little work, from the Custom House; but does all this public booty with which he is loaded alter the nature of things, or prevent that from being a deceitful measure, brought about by artful and treacherous means, against which Mr. Saurin, in 1800, preached the holy doctrine of insurrection, sounded the tocsin of resistance, and summoned the people of the land to battle against it as against *usurpation*?

"In 1800, he absolves the subjects from their allegiance if the usurpation styled the Union will be carried—and he, this identical agitator, in 1813 indicts a man, and calls him a ruffian for speaking of the contrivers of the Union, not as usurpers, but as artful, treacherous men. Gentlemen, pity the situation in which he has placed himself; and pray, do not think of inflicting punishment upon my client for his extreme moderation.

"It has been coarsely urged, and it will, I know, be urged in the splendid misrepresentations with which the solicitor-general can so well distort the argument he is unable to meet—

it will, I know, be urged by him, that having established the right to use this last paragraph—having proved that the predecessors of the duke were oppressors and murderers, and profligate, and treacherous, that the libel is only aggravated thereby, as the first paragraph compares and combines the Duke of Richmond with the worst of his predecessors. This is a most fallacious assertion; and here it is that I could wish I had to address a dispassionate and an enlightened jury. You are not, you know you are not, of the selection of my client. Had he the poor privilege of the sheep-stealer, there are at least ten of you who should never have been on his jury. If I had to address such a jury, how easily could I show them that there is no comparison—no attempt at similitude. On the contrary, the object of the writer is clearly to make a contrast. Grey murdered—but he was an able statesman; his massacre was a crime in itself, but eminently useful to his employers; it contributed mainly to secure the forfeiture of the overgrown territories of the House of Desmond. Essex was a murderer—but his extreme of vice was accompanied by great military services; he was principally instrumental in effectuating the conquest of Ireland; even his crimes served the cause of his royal mistress, and the territory of the slaughtered O’Nial became shire land; he had terrific cruelty to answer for, but he could give it some answer in the splendour and solidity of his services. So of Strafford—he was an eminent oppressor, but he was also eminently useful to his royal master. As to the Duke of Richmond, the contrast is intended to be complete—he has neither great crimes nor great virtues. He did not murder, like Essex and Grey, but he did not render any splendid services. In short, his administration has been directly the reverse of these. It has been marked by errors and crimes. It has not displayed talents as they did; and it has no striking features as theirs had. Such is the fair, the rational, and the just construction which a fair, rational, and just jury would put upon it. Indeed, the attorney-general seems to feel it was necessary for him to resort to other topics in order to induce you to convict upon this part of the case. He tells you that this is the second time that the Duke of Richmond has been called a murderer. Gentlemen, in this indictment there is no allegation that the duke is styled a murderer by this publication; if there had, he should be readily acquitted, even for the variance; and when the attorney-general resorts to Barry’s case, he does it to inflame your passions and mislead your understandings—and then what has the *Irish Magazine* to do with

this trial? Walter Cox, with his *Irish Magazine*, is as good a Protestant as the king's attorney-general, and probably quite as sincere in the profession of that religion, though by no means as much disposed to persecute those who differ from him in religious belief. Indeed, if he were a persecutor of his countrymen, he would not be where he is—in prison; he would probably enjoy a full share of the public plunder, and which is now lavished on the stupid journals in the pay of the Castle—from the versatile, venal, and verbose *Correspondent*, to the equally dull and corrupt *Dublin Journal*. It is, however, not true that he is in gaol because he published what is called a libel. The attorney-general talked with a gloating pleasure of the miseries poor Watty Cox endures in gaol—miseries that seem to give poignancy and zest to the enjoyments of his prosecutor. I will make him happy; let him return from this court to his luxuries, and when he finds himself at his table, surrounded with every delicacy and every profusion, remember that his prisoner, Walter Cox, is starving. I envy him not this relish, but I cannot suffer him to mislead you. Cox is not in gaol because he published a libel—he is there because he is poor. His time of imprisonment expired last February, but he was condemned to pay a fine of £300—and having no money, he has since remained in gaol. It is his poverty, therefore, and not his crime, that detains him within the fangs of the attorney-general—if, indeed, there be any greater crime in society than being poor.

“And, next, the attorney-general makes a beautiful eulogium on Magna Charta. There we agree. I should, indeed, prefer seeing the principles of that great charter called into practical effect to hearing any palinode, however beautiful, said or sung on its merits. But what recommendation can Magna Charta have for poor Cox? That charter of liberty expressly provides that no man shall be fined beyond what he can pay—a very simple and natural provision against political severity. But Cox is fined £300 when he is not worth a single shilling. He appealed to this court for relief, and quotes Magna Charta. Your lordship was not pleased to give him any relief. He applies to the court of exchequer; and that court, after hearing the attorney-general against him, finds itself unable to give any relief; and, after all this, the unfortunate man is to be tantalized with hearing that the attorney-general contrived to couple his case with the praise of the great charter of liberty—a most unlucky coincidence—almost enough to drive him, in whose person that charter is violated, into a state of insanity.

Poor Watty Cox is a coarse fellow, and, I think, he would be apt to reply to that praise in the profane and contemptuous rhyme of Cromwell; most assuredly he has no reason to treat this useless law with great reverence. It would, indeed, appear as if the prosecutor eulogised Magna Charta only to give more brilliancy to the triumph which he has obtained in the person of poor Cox over it.

“The next topic of the attorney-general’s triumphant abuse was the book entitled, ‘The Statement of the Penal Laws.’ He called it a convicted book. He exulted that the publisher was in prison, he traduced the author, and he distorted and misrepresented the spirit and meaning of that book. As to the publisher, he is, I admit, in prison. The attorney-general has had the pleasure of tearing a respectable citizen, of irreproachable character and conduct, from his wife and the little children who were rendered comfortable by his honest, persevering industry, and he has immured him in a dungeon. I only congratulate him on his victory.”

In Magee’s case O’Connell’s speech was as much an indictment of the government as an apology for the defendant. Its merit lies in its vehement invective—in the fact that it hurled in the teeth of the British government contempt and defiance. Hence the prodigious popularity it enjoyed when it appeared in book shape. Hence 10,000 copies were sold the day it was published. Hence it was translated into Spanish and French. And owing to the value which was set upon it, every member of the Cortes,* or parliament of Spain, was, it is alleged, presented with a copy. In its delivery the matter seemed perfectly unstudied, as if it were the spontaneous production of the speaker’s feelings at the instant. There were no traces of pre-arrangement; no high-wrought passages smelling of the lamp and forced in for effect. O’Connell had satisfied himself, no doubt, with an attentive study of the various topics which it embraced; but he trusted apparently to the moment of delivery for the succession, the arrangement, and expression of those topics. He passed from one key to another—from the calm to the vehement, from humour to passion, the auditor hardly knew how; yet the transition seemed always natural. The following extract, in which he alludes to James II., is perhaps the most able of the many eloquent passages which are thickly strewn through this powerful oration:

“This sentence is said to be particularly libellous: ‘He has begun to act; he has ceased to be a dispassionate chief-

governor who views the wickedness and the folly of faction with composure and forbearance, and stands, the representative of majesty, aloof from the contest. He descends; he mixes with the throng; he becomes personally engaged, and having lost his temper, calls forth his private passions to support his public principles; he is no longer an indifferent viceroy, but a frightful partisan of an English ministry, whose base passions he indulges, whose unworthy resentments he gratifies, and on whose behalf he at present canvasses.'

"Well, gentlemen, and did he not canvass on behalf of the ministry? Was there a titled or untitled servant of the Castle who was not despatched to the south to vote against the popular, and for the ministerial candidates? Was there a single individual within the reach of his grace that did not vote against Prittie and Matthew in Tipperary, and against Hutchinson in Cork? I have brought with me some of the newspapers of the day, in which this partisanship of the lord lieutenant is treated by Mr. Hutchinson in language so strong and so pointed, that the words of the publication are mildness and softness itself when compared with that language. I shall not read them for you, because I should fear that you may imagine I unnecessarily identified my client with the violent but merited reprobation poured upon the scandalous interference of our government with those elections. I need not, I am sure, tell you that any interference by the lord lieutenant with the purity of the election of members to serve in parliament is highly unconstitutional and highly criminal—he is doubly bound to the most strict neutrality. First, as a peer, the law prohibits his interference; secondly, as representative of the crown, his interference in elections is an usurpation of the people's rights—it is, in substance and effect, high treason against the people, and its mischiefs are not the less by reason of there being no punishment affixed by the law to this treason.

"If this offence, gentlemen, be of daily recurrence—if it be frequently committed, it is upon that account only the more destructive to our liberties, and therefore requires the more loud, direct, and frequent condemnation; indeed, if such practices be permitted to prevail, there is an end to every remnant of freedom; our boasted constitution becomes a mockery and an object of ridicule, and we ought to desire the manly simplicity of unmixed despotism. Will the attorney-general—will his colleague, the solicitor-general, deny that I have described this offence in its true colours? Will they

attempt to deny the interference of the Duke of Richmond in the late elections? I would almost venture to put your verdict upon this, and to consent to a conviction if any person shall be found so stocked with audacity as to presume publicly to deny the interference of his grace in the late elections, and his partisanship in favour of the ministerial candidates. Gentlemen, if that be denied, what will you—what can you think of the veracity of the man who denies it? I fearlessly refer the fact to you; on that fact I build. This interference is as notorious as the sun at noon-day; and who shall venture to deny that such interference is described by a soft term when it is called partisanship? He who uses the influence of the executive to control the choice of the representatives of the people, violates the first principles of the constitution, is guilty of political sacrilege, and profanes the very sanctuary of the people's rights and liberties; and if he should not be called a partisan, it is only because some harsher and more appropriate term ought to be applied to his delinquency.

“I will recall to your minds an instance of violation of the constitution which will illustrate the situation of my client, and the protection which, for your own sakes, you owe him. When, in 1687, King James removed several Protestant rectors in Ireland from their churches, against law and justice, and illegally and unconstitutionally placed Roman Catholic clergymen in their stead, would any of you be content that he should be simply called a partisan! No, gentlemen, my client and I—Catholic and Protestant though we be—agree perfectly in this, that partisan would have been too mild a name for him, and that he should have been branded as a violator of the law, as an enemy to the constitution, and as a crafty tyrant, who sought to gratify the prejudices of one part of his subjects that he might trample upon the liberties of all. And what, I would fain learn, could you think of the attorney-general who prosecuted, or of the judge who condemned, or of the jury who convicted a printer for publishing to the world this tyranny—this gross violation of law and justice? But how would your indignation be roused if James had been only called a partisan, and for calling him a partisan a Popish jury had been packed, a Popish judge had been selected, and that the printer, who, you will admit, deserved applause and reward, met condemnation and punishment. Of *you*—of *you* shall *this story be told* if you convict Mr. Magee. The duke has interfered in elections; he has violated the liberties of the subject; he has profaned the very temple

of the constitution; and he who has said that in so doing he was a partisan from your hands expects punishment.

“Compare the kindred offences—James deprived the Protestant rectors of their livings; he did not persecute, nor did he interfere with their religion—for tithes, and oblations, and glebes, and church-lands, though solid appendages to any church, are not part of the Protestant religion. The Protestant religion would, I presume, and for the honour of human nature I sincerely hope, continue its influence over the human mind without the aid of those extrinsic advantages. Its pastors would, I trust and believe, have remained true to their charge without the adventitious benefits of temporal rewards; and, like the Roman Catholic Church, it might have shone forth a glorious example of firmness in religion, setting persecution at defiance. James did not attack the Protestant religion—I repeat it; he only attacked the revenues of the Protestant Church; he violated the law and the constitution in depriving men of that property, by his individual authority, to which they had precisely the same right with that by which he wore his crown. But is not the controlling the election of members of parliament a more dangerous violation of the constitution? Does it not corrupt the very sources of legislation, and convert the guardians of the state into its plunderers?

“To any man who loved the constitution of freedom, I could safely appeal for my client’s vindication; or if any displeasure could be excited in the mind of such a man, it would arise because of the forbearance and lenity of this publication. But the duke is called a frightful partisan! Granted, gentlemen—granted. And is not the interference I have mentioned frightful? Is it not terrific? Who can contemplate it without shuddering at the consequences which it is likely to produce? What gentler phrase—what lady-like expression should my client use? The constitution is sought to be violated, and he calls the author of that violation a frightful partisan. Really, gentlemen, the fastidiousness which would reject this expression would be better employed in preventing or punishing crime than in dragging to a dungeon the man who has the manliness to adhere to truth, and to use it. Recollect also—I cannot repeat it too often—that the attorney-general told you that ‘the liberty of the press was the best protection of the people against the government.’ Now, if the constitution be violated—if the purity of election be disturbed by the executive, is not this precisely the case when this protection becomes necessary? It is not wanted; nor can the press be

called a protector so long as the government is administered with fidelity, care, and skill. The protection of the press is requisite only when integrity, diligence, or judgment do not belong to the administration; and that protection becomes the more necessary in the exact proportion in which these qualities are deficient. But what protection can it afford if you convict in this same instance? For, by doing so, you will decide that nothing ought to be said against that want of honesty, or of attention, or of understanding; the more necessary will the protection of the press become, the more unsafe will it be to publish the truth; and in the exact proportion in which the press might be useful will it become liable to punishment. In short, according to the attorney-general's doctrine, when the press is 'best employed and wanted most' it will be most dangerous to use it. And thus the more corrupt and profligate any administration may be, the more clearly can the public prosecutor ascertain the sacrifice of his selected victim. And, call you this protection? Is this a protector who must be disarmed the moment danger threatens, and is bound a prisoner the instant the fight has commenced?"

The gloomy fanaticism which darkened the character of Saurin was entirely absent in the open and sunny character of his colleague, Bushe. Bushe was conspicuously liberal. He was the son of a clergyman of the Established Church who resided at Kilmurry, in the county Kilkenny, in the midst of the most accomplished society in Ireland—a man of refined manners and of polished if not prudential habits. His son, Charles Kendal Bushe, imbibed from him an ardent love of literature, and had an opportunity, from his familiar intercourse with the best society, to acquire those graces of manner which, in conjunction with his eloquence and liberality, rendered him in the highest degree dangerous to the liberties of the Irish. His associate, or rather his superintendent in office, Saurin, was conspicuous for his hatred of the Roman Catholic cause, of which Bushe professed himself the earnest friend. Antipathy to the Catholics formed the leading, we may say the only feature in the political character of Saurin. Bushe, on the other hand, had often declared that he considered the general degradation of so large a class of the community as incompatible with national felicity. This difference of opinion *was said* to have produced a want of cordiality between the two servants of the crown. Bushe, however, with his ostentatious liberality of feeling was of infinitely more use to the aristocracy—infinitely

more mischievous to the Catholics than Saurin could possibly have been when the suppression of the Catholic Committee was determined on. Saurin, upon the trial of the delegates, exhibited a sombre virulence which was calculated to excite wonder rather than conviction. But the solicitor-general produced a very different effect. He stood before the jury as the advocate of the Catholic cause to suppress the Roman Catholic Committee. The members of that body had been designated "miscreants" by Saurin. The solicitor-general blandly termed them "his friends." With a consummate address he professed himself the champion of the people, and put forth all his ardour in insisting on the necessity of concession to 6,000,000 of men. To the utterance of these sentiments he annexed the full power of his wonderful delivery. His countenance became radiant, his voice assumed all the varieties of its most impassioned intonation, and his person was informed and almost elevated by the consciousness of the noble thoughts which he was enforcing for the purpose of investing the very fallacies which he intended to inculcate with the splendid semblances of truth. After having wrought his hearers to a species of enthusiasm, and declared with an attitude almost as noble as the sentiment which it was intended to set off, that he would throw the constitution to his Catholic countrymen as widely open as his own breast, he suddenly turned back, and after one of those pauses the effect of which can be felt by those only who have been present upon such occasions, in the name of those very principles of justice which he had so powerfully laid down, he implored the jury to suppress an institution which he asserted to be the greatest obstacle to the success of that measure for the attainment of which it had been ostensibly established. He re-enacted this scene at the trial of Magee, and proved that, next to a liberal viceroy, nothing is so dangerous as a liberal solicitor-general.

"Gentlemen of the jury," said Bushe, "a considerable portion of the learned counsel's speech, and a considerable part of his client's libel have been employed in sending forward to the public repeated editions of a confuted calumny, and the basest slander that ever occupied the mind of man for the defamation of private character and the disturbance of the public peace. I am not surprised that the person in whose paper the calumny is repeated should instruct his counsel to republish it here. His client was interested in the circulation of that shameless libel; for the man who was daring and bearding the justice of the country had an interest in bringing its courts of justice into

contempt; and when he was composing a libel upon the government, his guilty conscience told him it was necessary to conclude it with an attack upon the law of the land. Gentlemen, the slanderous assertion in this paper has been repeated on this trial, as on former occasions—that the government of the country has stained its hands by picking out a jury for the perversion of public justice; and you heard it put forward with most shameful confidence, that the attorney sworn to the honest performance of the highest duties in the state, had himself nominated the jury to the sheriff, who was corrupt enough to execute his unlawful commands. Gentlemen, you saw that young man with that credulity peculiar to faction, which is disposed to believe a thing which men of cool judgment could not presume—you saw that young man after every attempt to delay the trial was resorted to, endeavour to prejudice the public mind by that foul aspersion. . . . Yet I will venture to predict that what was yesterday confuted as a falsehood (that direct charge of corruption in the sheriff—the direct charge of what is worse than corruption in the attorney-general), refuted, and convicted, and ridiculed as that libel was—at the hour I speak faction has it flying through the country, and asserts to be true that which has been condemned as false. I am sorry to say that the licentiousness of the press has become so ungovernable that trials for libel are no longer useful or necessary, except for the punishment of the guilty. As to teaching the public—insulted by those calumnies—and guarding it against abuse, I despair of it. I have witnessed the utter insufficiency of trial for that object; I have seen those calumnies established as clear as any proposition could be demonstrated, and which must have created conviction in the minds of other men; but with the factions of the present day those calumnies, like the hydra's heads, only generate from defeat. Gentlemen, it is found that nothing can stop the propagation of those calumnies, and it has therefore become the duty of those entrusted with the guardianship of public justice to see whether—if not the example—the punishment will be inoperative. . . . The first assertion in this libel is, that his grace the lord lieutenant was not better than the worst of his predecessors; and then, gentlemen, recollect the comment which his counsel was instructed to give on this text, and the class of persons selected to explain away this libel on the Duke of Richmond—Lord Strafford, who died on the block for his enormities; the Earl of Essex, who suffered for one of the basest acts of treachery and foulest crimes a man could be guilty of; and some other

lord lieutenant who authorized Sir Walter Raleigh to commit a crime at which human nature shudders. And here look at the motives imputed to those, than the worst of whom the Duke of Richmond is not better: "They insulted, they oppressed, they murdered, and they deceived." We will call on your lordship to state the law to the jury—to tell them whether, because Mr. Magee finds matter of complaint against other lords lieutenant, it becomes justifiable to impute murder to the Duke of Richmond. But the libel stops not here—it proceeds to allege against the lord lieutenant another foul crime—a deliberate determination to subvert the constitution of the country. It states that he knows well he cannot introduce martial law, but he is directly accused of having provided for its future introduction by insuring a military government, by contributing to the erection of barracks throughout the kingdom. . . . It states that 'In short, his grace will in no way vary from the uniform conduct observed by most of his predecessors—first preaching to the confidence of the people, then playing upon their credulity, &c.' Is this fair criticism of a public man? Before the highest tribunal in the country would such language be allowed as fair discussion? In the parliament would any man be suffered to say that the lord lieutenant was guilty of murder? Even the boasted freedom of speech in parliament would not permit it. The public man may be brought by impeachment for trial by his peers, and the highest punishment known to the law inflicted on him if he be found guilty; but I deny the right of any individual to exercise the censorial power of the people, and inflict his condemnation on the character of another. Says Lord Holt: "The public man is not to be upheld to detestation, which can have only for its object to disaffect the people from the government, to bring loyalty into contempt, and endanger the public peace."

The above will give an idea of Bushe's rejoinder.

The trial of Magee was published, as we have stated, in the form of a book. The preface to this book, written by Denis Scully contains one passage more valuable than gold: "The English nobility," says the preface, "is English. The Scottish nobility is Scotch. The Irish nobility is *not* Irish." All the calamities of the Irish people originate in this circumstance. "We shall explain ourselves. The nobility of England is Norman to a man. We do not speak of particular families or of extinct titles. There may not be now a direct descendant of a peer created by William the Bastard—there is not; but all the peers are either taken from the Norman stock, or from blood

purified—to use the cant of heraldry—by a Norman alliance. The Scottish peers are the most ancient and powerful families in Scotland—heads of celebrated clans from times almost immemorial, and lords of immense tracts. There are many fine historical associations which bind them to their country and their titles; and hence the Scottish nobleman is as proud of his highland bonnet as of his insignia of the thistle. An Irish nobleman, on the contrary, is, comparatively speaking, a man of yesterday. The oldest peers of Ireland are those called Strong-bowians—Fitzgerald, De Burgh, Butler. An Irish peer of Elizabeth, James, or William is already grey with the honours of antiquity. In the peerages of Ireland there occur only two Irish names—O'Brien and O'Neil. The Irish peers are not bound by historical associations to Ireland as the peers of England and Scotland are respectively to their countries. They are linked to Ireland only by their estates. *Antiquam exquirite matrem* is the general mandate among them, and is generally obeyed. England is the country of the Irish nobleman—it is the seat of his ambition and the scene of his pleasure. He ruled Ireland, when he had the power, with a rod of iron and a scourge of scorpions. When she was to be bought, he sold her without shame and without compunction. If the English minister gave but the word, he would steep her in blood."

An article in the *Dublin Review*, ascribed to Dr. Newman, says on this subject: "If that aristocracy were an ornament to the empire—if it were identified with the Irish people—if it did not despise and hate them—if it were a 'Corinthian' or any other capital—if it enjoyed *bone fide* £16,000,000 rental, instead of Lord Mountcashel's estimate, £3,000,000, it would be laudable to attempt to reclaim it, though their whole history proves that self-interest and terror were the only apostles that could convert them. . . . For a history of this modern Irish aristocracy, the reader is referred to two unprejudiced authorities—Dean Swift and Bishop Berkeley—men whom inclination and principle would lead to give a favourable view. The vigorous language of the first never exhibits its terrible power so effectually as when rending the aristocracy, who never built a mansion on their properties, nor a church, nor school, nor any public institution; who saw thousands of miserable serfs die every day of cold, and hunger, and filth, and famine; who squeezed their rents out of the very blood, and vitals, and clothes, and dwellings of the tenants, who had neither shoe nor stocking to their feet, nor a house as good as an English

hog-sty to receive them; who cried out to the tenant with Pharoah: 'Ye are idle—ye are idle, O Israelites,' when he wanted them to make bricks without straw. All the Irish writings of that extraordinary man give the same horrible picture; and even the gentle Berkeley describes the aristocracy of his time as "Goths in ignorance, spendthrifts, drunkards, and debauchees."—*Dublin Review*, vol. xxii.

In his defence of Magee, O'Connell surpassed himself. In the law of the case he was invincible; in the construction of the libel he was triumphant; and in the politics involved in the question victorious. The attorney-general said that Magee was indicted as proprietor of a newspaper. O'Connell in his speech denied the fact, and appealed to the indictment itself. The attorney-general said Magee was indicted as printer. O'Connell denied the fact, and again appealed to the indictment. The attorney-general said that Magee was indicted for calling the duke "a murderer!" O'Connell denied the fact, and once more appealed to the indictment. The indictment contained no such statements. In short, O'Connell's speech, which occupied four hours in the delivery, remains to his country and his descendants a monument of industry, acuteness, political courage, and the mental powers of the admirable advocate. In the solicitor-general's reply there was passion, rhetoric, and legal knowledge; but the attributes which he usually exhibited in his more felicitous efforts—richness of illustration, polished zeal, glowing imagery, and philosophic views, were utterly absent.

Though O'Connell—that forensic Jupiter—may be said to have wielded thunderbolts, terrible with the blaze of invective, in defence of his client—though impartial justice blended with persuasive eloquence pleaded for the defendant, nevertheless, the result of the trial—its only fruit—was to lodge Magee in prison. But in doing this, the government—that is, Robert Peel—forfeited character, because it appeared to act on a principle of vengeance.

The external life of O'Connell was in the highest degree stormy—full of tumult and contention—fighting pitched battles with obstreperous witnesses at the bar, and hurling invectives at political delinquents in the Catholic Board. Nothing could be more tempestuous than his outward career. But the moment he crossed the threshold of his home, the calm sunshine of peace succeeded the clouds and turbulence of contention—the frown of indignation was replaced by the smile of pleasure—the voices of his children, the endearments of his wife,

banished his cares and rendered him instantaneously a different man. His loud laugh and merry jest—his “quips, and cranks, and wanton wiles”—filled the whole house with pleasure and hilarity. He was the most sociable of men. Surrounded by his wife, children, and guests, he appeared to enjoy unalloyed happiness; and though he could spare but little time from his numerous avocations to mingle in the agreeable society for which Merrion-square house was remarkable, still the moments that he snatched from study and passed in the drawing-room were moments of exquisite gratification to the friends, young and old, who loved to listen to his rapid sallies of wit, his good-humoured hits, and playful stories. His conversation was replete with anecdote; and the narratives which possessed the greatest interest were those in which the narrator was personally concerned. We shall give a few specimens. They will show that his memory was prodigious, and that not the smallest trait of character or manner in the numberless persons with whom, in the course of his bustling career, he had come in contact, escaped the grasp of his retentive recollection. O'Connell was eminently a *raconteur*.

To relate well, requires a minute and clear perception of particulars, which being strongly impressed on the mind, will be returned with all the truth, force, and illuminated effect necessary to impress the auditor. Facts often appear too highly-coloured when they are but given in the same deep tone in which they were witnessed. Some minds receive their impressions of scenery, character, and incident as an iron target receives the point of an arrow, which scarcely leaves a trace behind it; while others, of more penetrable stuff, take the form of their objects with a depth and sharpness fully proportionate to the force that stamps it. Between these two classes of intellect there is little sympathy; and the possessor of the first will consider as exaggerations of truth and nature, the narrative which reflects the ideas of the latter in the full vigour of their original conception.

O'Connell's great sensibility, his impressionableness, his wonderful power of observation, his wit, humour, imagination, and mastery of language, were all displayed in the admirable manner in which he related an anecdote. The Irish always possessed this faculty of story-telling—the most attractive of all others. “The great men of their septs,” says Sir William Temple—writing in the 16th century, “among the many offices of their establishment which continued always in the same family, had not only a physician and a poet, but

a tale-teller." That story-tellers were included in the households of O'Connell's ancestors is unquestionable; but it is very doubtful if any of the *Finn rísealaithe* of by-gone ages could tell a tale as well as O'Connell himself. It is very difficult, however, to make O'Connell talk on paper as he talked in real life. The reader would consider the anecdotes related below as cold and feeble could he witness the superior animation with which O'Connell used to relate them in his own house. There the narrator added to the raciness of Irish humour the high finish of dramatic mobility—the tone, the look, the accent which constitute the merit of a well-told tale, but which will not print. O'Connell happily illustrated that description of a *raconteur* which Shakspeare has bequeathed to posterity:

“A merrier man,
Within the limit of becoming mirth,
I never spent an hours' talk withal.
His eye begot occasion for his wit;
For every object that the one did catch,
The other turned to a mirth-moving jest,
Which his fair tongue (conceit's expositor)
Delivered in such apt and gracious words
That aged ears played truant to his tales,
And younger hearings were quite ravished—
So sweet and voluble was his discourse.”

“Lord Clare's enmity to Ireland,” said O'Connell, “was once nearly ended by an assassin. In 1794, he was carrying a bill through the Irish parliament for compelling the accountant of the court of exchequer to return his accounts whenever called upon by the court. These summary accounts would have been very inconvenient to Baron Power, who, as junior baron, filled the office of accountant. He lived extravagantly—making use of the money of the public that came into his hands, and looking to future good luck to enable him to reckon with the owners. The bill would have been his ruin; and after many ineffectual efforts to dissuade Lord Clare from pressing it, he at last resolved in a fit of desperation to assassinate him. So he drove to Ely-place with a brace of loaded pistols in his pocket, and asked to see Lord Clare, who providentially was from home. Baron Power then resolved on suicide, and ordered his coachman to drive him along the North Wall. When he had got to a considerable distance out of town he quitted the carriage, desired the coachman to await his return, and walked on alone towards the Pigeon House. He tied his hands together in order to deprive himself of the power of swimming, and jumped into the sea from the pier. It was afterwards remarked as

curious that he walked off to drown himself using an umbrella as the day was wet. One would think the sprinkling of a shower would not much incommode a fellow who was resolved on a watery death. Think of a man going to drown himself with an umbrella to keep out the wet. Shortly after, Crosbie Morgan, one of the oddest of odd attorneys, also drowned himself. The ballad-mongers shouted their accounts of these events through Dublin, crying out: 'Great times for Ireland! One judge drowned! One attorney drowned!' They had also: 'Last speech and dying words of Crosbie Morgan!' which instead of ending with the approved finish of the penitent declaration of Catholic criminals—namely, 'I die an unworthy member of the Church of Rome,' ended thus: 'I die an unworthy mongrel of neither church.'

"Crosbie Morgan," said O'Connell, "was a very eccentric fellow. He probably made more money than any other attorney of his time. He had eleven clerks in his office, and every clerk was an attorney. Great as were his gains, his expenditure was greater. Whenever he travelled to Dublin he used to engage all the post-chaises at every inn where he slept along the road; and if he found any gentlemen of his acquaintance going to town, he invariably gave them seats gratis. His own personal suite always filled two or three of the carriages."

"Had Baron Power," continued O'Connell, reverting to Lord Clare (a sketch of whose origin has been given at page 56), "murdered Fitzgibbon, Pitt would have found much more difficulty in carrying the Union. Castlereagh, although as vile, shameless, and indefatigable a tool as ever corruption had, yet could not, unaided by the commanding energy of Clare, have succeeded so well in the dirty work. Clare had great intellectual powers. He lived at a period fertile in monsters—Clare was a monster. He was a kind of petticoat Robespierre. His father was a barrister of considerable eminence. Old Fitzgibbon and his brother were the first persons who introduced the system of reporting the proceedings of the English law courts in the public newspapers without the authority of the presiding judge. They were students in the temple at the time, and Lord Mansfield tried to put a stop to the practice, but the Fitzgibbons persevered and succeeded. Clare was atrociously bigotted against the Catholics. A Protestant friend of mine, who often met him at the whist parties of an old dowager, told me nothing could possibly exceed the contemptuous acerbity with which on these occasions he spoke of the Catholics.

'The scum of the earth,' and such like phrases, were the epithets he habitually applied to them."

In speaking of his professional recollections O'Connell gave some traits of Jeremiah Keleher, long known at the Munster bar by the familiar name of "Jerry Keller."

"Jerry," said O'Connell, "was an instance of great waste of talent. He was the son of a poor farmer near Kanturk, named *Keleher*, which Jerry anglicised into *Keller* when he went to the bar. He was an excellent classical scholar, and had very considerable natural capacity; but although he had a good deal of business at the bar, his success was far from being what he might have attained had he given his whole soul to his profession. His readiness of retort was great. Baron Smith once tried to annoy him on his change of name at a bar dinner. They were talking of the Irish language. 'Your Irish name, Mr. Keller,' said the baron 'is *Diarmuid ua Ceat-leachair*.' 'It is,' answered Jerry, nothing daunted, 'and yours is *Laimh Gabha*.*' There was a great laugh at the baron's expense—a sort of thing that nobody likes."

"Another time," said O'Connell, "when the bar were dining together on a Friday, a blustering young barrister named Norcott, of great *pretension* with but slender materials to support it, observed that Jerry was eating fish instead of meat, and by way of jeering Jerry (who had been originally a Catholic), said to him: 'So you won't eat meat! Why I did not think, Jerry, you had so much of the *Pope* in your belly.' 'For all the meat in the market,' said Jerry, 'I would not have as much of the *Pretender* in my head as you have.'"

Keller made a profound impression on O'Connell's mind. He was a member of a convivial society named "Monks of the Screw," and a boon companion of Lord Avonmore's; and while that judge sat on the bench, his bag never wanted briefs; but when the chief baron died, Keller's bag was affected with consumption or atrophy. It grew wonderfully lank. He lost his business and sank into indigence. But though the attorneys could deprive him of his briefs, they could not rob him of his wit. The loss of business seemed to whet his satire, and give more poignancy to his biting mirth. He used to attend the hall of the courts with punctuality, and was generally surrounded by a circle of laughers, whom the love of malicious pleasantry attracted about him. His figure and demeanour were remarkable. His hands were generally thrust into the sleeves of his coat, which gave him a peculiarity of attitude.

* *Laimh* signifies "hand;" *gabha*, or *gow*, "a smith."

Looking at him from a distance, you would have taken him for a malevolent litigant from the country, upon whose passions a group of mockers were endeavouring to play; but upon a more attentive perusal of his countenance you perceived a habit of thought of a superior order and the expression of no ordinary mind. His features were sharp and pointed to the finest edge. There was that acuteness of the nose which denotes the lover of a gibe. His eyes were piercing, clear, and brassy; they were filled with a deadly irony which never forsook them. A flash of malignant exultation played over his features when he saw how deeply the shaft had struck, and with what a tenacity it stuck to its victim. The quiver of his lip in giving utterance to some mortal sneer was peculiarly comical; he seemed as if he were chewing the poison before he spat it out. His teeth gave a short chatter of ridicule; you heard a dry laugh, which wrinkled all his features, and after a sardonic chuckle he darted forth the fatal jest amidst those plaudits which had become his only consolation. Jerry Keller, as the senior, presided at the mess of the Munster bar, where he ruled in all the autocracy of unrivalled wit.

When Yelverton received his patent of viscount, he invited Keller, Curran, and Egan to hear it read, and to take their opinion *if all was right*. He began: "George, &c. &c., king of the United Kingdom, &c. &c."—and read to the end; and then called for their judgment. Keller replied: "It is faulty." Yelverton was a most irascible man; and carried away by a gust of passion, he exclaimed, "Where is the fault? I can see none!" and appealed to Egan and Curran, who concurred with him. "There, Keller!" cried he triumphantly; "what say you now?" Keller requested his lordship to read the patent again; and when he repeated, "George, &c., king of the United ——" "Hold!" says Keller—"does not the consideration come too soon?" alluding to the viscounty being in consideration of the Union; whereat all laughed immoderately—they, however, dined together, and spent the night in harmony, *union*, conviviality, and glee,

"Till startled morn
Peeped blushing on the revels' laughing crew."

A traveller in Turkey has stated that while, one evening, visiting the Turkish cemetery, adorned with vast groves of cypresses, situated near Constantinople on the Asiatic side of the Bosphorus, his attention was attracted by a man dressed in ragged white, with a tattered turban on his head, who had something of the Frank in his aspect. There was an air of

extreme loneliness and desolation about him. He leaned with his back to a marble sepulchre; his arms were folded, his head sunk on his breast, and his eyes fixed on the earth. This melancholy-looking man approached the traveller, and addressed him in English. "Gracious God, can it be?" replied the traveller. "Alas!" said the unfortunate man, covering his face with his hands, "it is too true—I am Mr. Norcott of the Irish bar."

It would not be easy to imagine adventures more disastrous than those of the unhappy Norcott. He moved in Dublin in the highest circles, and was prized for the gracefulness of his manners and the gaiety of his conversation. A favourite at the Castle, he was admitted to the private parties at the vice-regal lodge. The politeness of his titled associates, who condescended to win his money, was so charming and exquisite that it gave him pleasure to be pigeoned—he lost money with the greatest good humour. It was rumoured meantime that he was plunging deeply into debt. Still he preserved his ruddy cheek and his glittering and cheerful eye. Upon a sudden the crash came, and his embarrassments compelled him to leave the country. He had one friend—Mr. Croker, of the Irish admiralty, who had known him when he was himself at the Irish bar. Mr. Croker promised to procure a lucrative situation for Mr. Norcott in the island of Malta. His Irish friends looked forward to the period when he should be enabled, after recruiting his circumstances, to return to Ireland, and to reanimate Kildare-street club-house with that vivacious pleasantry of which he was a felicitous master—when to everybody's astonishment, it was announced that Mr. Norcott had left the island, had taken up his residence in Constantinople, and renounced his religion with his *hat*. He had become a renegade, and invested his brows with a *turban*.

Having carried some money with him to Constantinople, he at first made a considerable figure. He was dressed in the extreme of Turkish fashion, and was said to have ingratiated himself by his talents into the favour of some leading members of the divan. His prosperity at Constantinople, however, was evanescent. His money was soon spent, and he fell into distress. Letters of the most heart-rending kind were written to his friends in Dublin, in which he represented himself as in want of the common means of subsistence. It was in this direful state of destitution that he addressed himself, in the cemeteries of Constantinople, to a person whom he guessed to be a native of Christendom. His condition was lamentable beyond the

power of description. His dress was at once the emblem of apostacy and want. He carried starvation in his cheeks, and despair stared in his glazed and sunken eye. The conclusion of his story may be briefly told. For a little time he continued to walk the streets of Constantinople in search of nourishment, and haunted its cemeteries like the dogs to which the Turks compare Christians. He had neither food, roof, nor raiment. At length he took the resolution of returning to Christianity, for he indulged the hope that if he could escape from Constantinople he might obtain in some Christian country the means of life. He accordingly endeavoured to fly from Constantinople, aided by some Englishmen who assisted him with money; but the plot was discovered. He was pursued and taken at a small distance from Constantinople; his head was struck off—his body thrown into the sea.

Speaking of his professional recollections, O'Connell mentioned a curious fraud which had sent him many applicants who dreamed of participating in enormous wealth, the visionary hope of which was excited by the following device: "A smart attorney's clerk who had a mind for a cheap summer's ramble, forged a document purporting to be the will of a certain Duke O'Neill who had died childless in Spain, having amassed £1,200,000, which enormous sum he bequeathed to be equally divided between all his Irish cousins, bearing the name of O'Neill, within the fortieth degree of kindred. The fabricator bent his course to the north and introduced himself at many houses; where the plausibility with which he supported his statement gained him a hospitable reception. He also made money by selling copies of the will at half-a-crown each to all such O'Neills as were fools enough to buy. His trick had considerable success; several sturdy farmers from the north, and a merchant residing in Liverpool, bearing the name of their imaginary ducal kinsman, applied to me for professional aid in recovering their portions of the £1,200,000, bequeathed them by the honoured defunct. Nothing," added O'Connell, "could exceed their astonishment when I assured them that the whole thing was a delusion. 'Do you really tell us so, Counsellor?' 'Indeed I can assure you with a sate conscience,' said I, 'that it is all a fabrication; and if an oath were required to confirm the fact, I could very safely give one.' So away they went indignant at the fraud, and lamenting they had ever put faith in the tale of the 'ould Duke.'"

"What a general reputation for dishonesty the attorney profession has got," observed a lady on hearing this. "A very

unjust one," answered O'Connell. "Attorneys are neither better nor worse than other men. If a man who is a rogue happens to be an attorney, it is true that the nature of his profession affords him facilities for committing injustice, just because it mixes him up in the affairs of other people. Attorneys are often obliged to do harsh things too in pursuit of the undeniable rights of their clients; and the profession has become involved in the odium of the harshness."

Another of O'Connell's odd stories was about a Miss Hussey, to whom her father bequeathed £150 per annum in consideration of her having a red nose. "He had made a will," said O'Connell, "disposing of the bulk of his fortune to public charities. When he was upon his death-bed, his house-keeper asked him how much he had left Miss Mary. He replied that he had left her £1,000, which would do for her very well if she made off any sort of a good husband. 'Heaven bless your honour,' cried the house-keeper, 'and what decent man would ever take her and the red nose that's on her?' 'Why really that is very true,' replied the dying father. 'I never thought of her nose!' and he lost no time in adding a codicil that gave Miss Mary an addition of £150 a-year as a set-off against her ugliness!"

"Father Luby," said O'Connell, "informed me of a curious escape of a robber from the old jail that stood in Skinner-row, Dublin. The rogue was rich, and gave the jailer £120 to let him out. The jailer then prepared for the prisoner's escape in the following manner: he announced that the fellow had a spotted fever, and the rogue shammed sickness so successfully that no one suspected any cheat. Meanwhile the jailer procured a fresh corpse, and smuggled it into the prisoner's bed; while the pseudo invalid was let out one fine dark night. The corpse which passed for that of the robber was decently interred, and the trick remained undiscovered till revealed by the jailer's daughter long after his death. Father Luby told me," added O'Connell, "that the face of the corpse was dabbled with paint to imitate the discolorment of a spotted fever."

O'Connell often told of Sir Jonah Barrington, the historian, an anecdote which is more creditable to the ingenuity than to the integrity of the baronet. "Sir Jonah," said O'Connell, "had pledged his family plate for a large sum of money to one Stevenson, a Dublin pawnbroker; and feeling desirous to recover the plate without paying back the money, he hit upon the following device to accomplish his purpose. He invited the viceroy and several noblemen to dinner, and then

went to Stevenson begging he might let him have the plate for the occasion. 'You see how I am circumstanced, Stevenson,' said Sir Jonah; 'I have asked all these fine folks to dinner, and I must borrow my plate for this one day. I assure you, my dear fellow, you shall have it again; and in order to secure its restoration to your hands, you shall come and make one of the party. I can ask one private friend, and you, as a member of the common council, are perfectly admissible. Come—there's a good fellow!—and you know you need not leave my house until you carry off the plate along with you.' Stevenson, delighted at the honour of dining at the table with the viceroy, lords, and judges, fell into the trap, and went to dinner. Sir Jonah plied him well with champagne, and soon made him potently drunk. At a late hour he was sent home in a job-coach; his wife put him to bed, and he never awoke till two o'clock next day. An hour then elapsed before his misty, muddled recollection cleared itself. He *then* bethought him of the plate. He started up, and drove to Barrington's. But, alas! Sir Jonah was gone—and what was much worse, the plate was gone too! Poor Stevenson recorded a bitter vow against dining in aristocratic company for the rest of his natural life."

Some one having alluded to the temptation to amass large sums afforded by facility and security from detection, O'Connell told the following anecdote: "I knew a person named Barnewall who, while staying in Dublin, was commissioned by a friend in the country to purchase a lottery-ticket. The choice of the number was left to Barnewall, who accordingly selected and paid for a ticket. It turned up a prize of £10,000. He had the most thorough facility for retaining the amount. All he need do was to buy his friend some other ticket. No one could say that he had not duly executed his commission. But Barnewall reasoned thus with himself: 'If,' said he, 'my friend had not commissioned me to buy the ticket for him, I never would have bought it for myself. It therefore is rightfully his; and to put myself beyond the reach of casuistry, I'll lodge the amount to his credit immediately, and apprise him that I have done so by this night's post;' which honest Barnewall accordingly did. I recollect when I was a youngster, my uncle gave me £300 in gold, to get changed into notes at Cotter & Kellett's bank. The clerk, through stupidity, gave me £400, of which £300 were in small notes, and the rest in a £100 note. I pointed out his blunder; and he, in a very surly manner, and without looking

at the heap of notes, insisted that I must be wrong, for that he never mistook. I persisted; he was sulky and obstinate. At last our altercation attracted the notice of Cotter, who came over and asked what was the matter. I told him I had got £100 too much. He reckoned the money, and then took off the £100, saying: 'Now it is all right.' I begged he would let me retain that note, as my uncle was desirous to get the largest note he could; and, I assure you, it was with no trifling difficulty I could prevail on the old gentleman to take his £100 in small notes!"

"I've got a perfectly new story for you," said O'Connell to a Kerry friend, "about your old acquaintance, Mr. Denny—it only happened last week. You must know that Denny's wife, passing a picture dealer's shop in Liffey-street, chanced to mention that she had six paintings which she would be glad to dispose of, as she placed no great value on them. The dealer inquired their merits, and learned from the lady that they had very good *frames*. She directed him to her house, and said he might inspect them as soon as he pleased, her husband being then at home. Off went the dealer, and found Mr. Denny at home. He saw at a glance that the paintings were valuable, and inquired for how much Mr. Denny would dispose of the lot. 'Why, really, I can't say,' was the reply; 'but how much are you willing to give for them?' 'I'll give you a pound for the lot,' replied the dealer. 'A pound? Um—hum! why, I'd like to consult some one first.' 'Oh, certainly, sir.' Whereupon our worthy friend summoned the kitchen-maid to assist his judgment! 'Molly,' said he, 'this gentleman offers me a pound for these six paintings—what do you think of it?' Molly had no particular passion for the fine arts, and a pound was in her estimation a great deal of money. 'Why, sir,' said she, 'I know if they were mine, the gentleman should have them for it.' The dealer protested, of course, that a pound was a most liberal price; and the bargain was accordingly ratified, to the perfect satisfaction of Molly and her master. The paintings were forthwith carried off by the purchaser; and in a few days Mr. Denny and his lady were somewhat startled on finding that he had sold one of them for twenty and another for forty guineas to a connoisseur. Mrs. Denny, panic-struck, posted off to the dealer, and upbraided him with having taken-in her husband. There were four of the pictures yet unsold, including a portrait of one of her family. She demanded a restitution of this, as it could not be supposed of any value to strangers. 'Well, ma'am,' said the dealer, 'as I

like to be generous, you may have it back for two pounds.' 'Why you got the whole for one pound!' cried the lady. The Dennys are thinking of an action of trover," continued O'Connell. "But just fancy," added he, laughing heartily, "the sublime notion of calling up the kitchen-maid to decide on the value of old paintings! Oh! it was perfectly delightful. And the comical chagrin of Mrs. Denny on finding two pounds asked for one picture, as a most generous concession by the vagabond who got the six pictures altogether for one pound!"

If the following anecdote be characteristic of the habits of the Limerick gentry of a former period, it must needs be admitted that they stood much in need of reformation. Standish O'Grady asked O'Connell to accompany him to the play, one evening during the Limerick assizes in 1812. O'Connell declined, observing that the Limerick grand jurors were not the pleasantest folk in the world to meet after dinner. O'Grady went, but soon returned. "Dan," said he, "you were quite right. I had not been five minutes in the box, when some ten or a dozen noisy gentlemen came into it. It was small and crowded; and, as I observed that one of the party had his head quite close to a peg on which I had hung my hat, I said very politely, 'I hope, sir, my hat does not incommode you; if it does, pray allow me to remove it.' 'Faith,' said he, 'you may be sure it does not incommode me; for if it did—d—n me, but I'd have kicked it out of the box, and yourself after it!' So, lest the worthy juror should change his mind as to the necessity of such a vigorous measure, I quietly put my hat on, and took myself off."

We may be here permitted to remark that the habit of intemperance which too generally pervaded the lower classes of society in Ireland, and gave O'Connell so much trouble in carrying out his project of pacific agitation, descended to them from the ranks of what is called the gentry—a ruined race composed partly of English blood, partly of men of "the pale"—that is, of Irish who deserted the cause of their country and of their religion, in order to retain or recover property of which the confiscatory or penal laws would have otherwise deprived them. As the property of the greater part of the Irish gentry had been obtained by open and undisguised robbery—disguised as confiscation—they naturally adopted the wild, wasteful, and licentious extravagance of robbers. The picture given of the manners of these "gentry" during a considerable portion of the last century, and indeed down to 1813, by writers whose testimony cannot be impeached, is any-

thing but creditable to their "order." The whole object which "lords" and "esquires" in those days appear to have had in view was to lead a life of what they called "amusement," for which hunting and shooting parties merely formed pretexts. The grand object was the enjoyment after the day's sport—the lavish banquet, the claret and champagne, and at night the supper of highly-seasoned meats, to act as stimulants for the whiskey-punch that was to be drunk until the morning broke in on them. The triumph of which gentlemen were in those times most accustomed to boast, was the number of their boon companions whom they were enabled, in their own phrase, to see "under the table."

Horse-racing, hunting, duelling, drinking, and swearing, were the chief employments of the upper classes in those times. They scarcely uttered a sentence without a blasphemy, and went out to shoot each other with as little remorse as they would feel in bringing down a woodcock. The duellist who had taken down his man was a hero whose fame excited envy. If he exceeded that number, and murdered his half-dozen, his name in the Irish temple of renown was immortal.

Is it surprising then if the manners of the upper classes were adopted by degrees among the masses whom they held in villainage? Need we go further in order to learn how it happened that whiskey-drinking became so general?

Talking away from one subject to another, O'Connell mentioned O'Leary, who was shot in 1773 by Morris of Dunkettle, near Cork. "That man's son," said O'Connell, "was the father of two fine boys. He brought up one of them a Protestant, the other a Catholic. The poor children early showed the belligerent spirit of religious hostility. They were always squabbling. The Catholic brother would say: 'We'll get Emancipation in spite of you.' 'No, you rascal,' the Protestant brother would answer, 'we'll keep our foot upon your necks!'"

Of forensic eloquence, amongst some of his earlier contemporaries, O'Connell recorded the following specimens. A young barrister who was counsel against a cow-stealer wound up his statement with a violent invective against the thief, who, it seems, had branded his own name on the horns of the cow he had stolen. "If, my lord," concluded the orator, "the cow were a cow of any feeling, how could she bear to have such a name branded on her horns?"

Another orator of this sublime school warned the jury not to be carried away "by the dark oblivion of a brow." A bro-

ther counsel stopped him, saying "*that was nonsense.*" "I know it is," replied the unabashed advocate; "but it is good enough for the jury!" "I remember," added O'Connell, "a young barrister who once came to consult me on a case in which he was retained, and begged my permission to read for me the draft of a speech he intended to deliver at the trial, which was to come on in about a fortnight. I assented; whereupon he began to read: 'Gentlemen of the jury, I pledge you my honour as a gentleman that I did not know until this moment I should have to address you in this case.' 'Oh! that's enough,' cried I; 'consult somebody else—that specimen is quite enough for me!'"

O'Connell mentioned a case in which he was once professionally engaged—an action instituted by a Miss Fitzgerald against a Parson Hawkesworth for a breach of promise of marriage. "Hawkesworth," said he, "had certainly engaged the lady's affections very much. He had acquired fame enough to engage her ambition. He was a crack preacher—had been selected to preach before the lord lieutenant; his name occasionally got into the papers, which then was not often the case with private persons; and no doubt this notoriety had its weight in the lady's calculations. The correspondence read upon the trial was comical enough. The lady, it appeared, had at one period doubted his fidelity, whereupon the parson writes to re-assure her in these words: 'Don't believe anyone who says I'll jilt you! They lie, who say so; and I pray that all such liars may be condemned to an eternity of itching without the benefit of scratching!' £3,000 damages were given against him. He was unable to pay, and decamped to America upon a preaching speculation, which proved unsuccessful. He came back to Ireland—and *married the prosecutrix!* These parsons occasionally do very curious things," continued O'Connell. "Several years ago, a parson at Roscrea, named Hamilton, dressed up a figure to represent *himself*, seated it at a table with a pair of candles before it, and a Bible, which the pseudo parson seemed to be intently studying. He then stole out, and fired through the window at the figure. It was a famous case of Popery atrocity—a pious, and exemplary clergyman studying the sacred word of God, brutally fired at by a Popish assassin. He tried to get a man named Egan convicted of the crime; but having the temerity to appear as a witness himself, it turned out upon cross-examination that the reverend divine was entitled to the sole and undivided glory of the transaction."

Taaffe, the writer of a book called a "History of Ireland," being spoken of—"Taaffe was a strange genius," said O'Connell. He was confined in the prison of Kilmainham after 1798, and felt himself affronted because he was placed at the prisoners' second dinner-table, instead of the first. If the first table was more honourable, it was also more dangerous, being set apart for those who had been ringleaders in the rebellion, and who knew not, from hour to hour, at what moment they might be ordered out for execution. But Taaffe's vanity so far got the better of his fears, that he actually memorialized the lord lieutenant against the indignity of being obliged to sit at the second table; pleading, as his claim to the first, that he had fought as often in the rebel ranks as any of the chiefs who sat there, and, moreover, had helped to defeat the king's troops in two pitched battles. His claim was admitted; but he escaped the gallows, which, as times then went, would have seemed an inevitable part of the coveted distinction. His 'History of Ireland' is a curious production. Jack Lawless's 'History of Ireland' is also an unique specimen of historical writing. Jack takes it for granted that his reader knows everything—accordingly Jack tells him nothing. But he gives copious dissertations on the facts which he does *not* detail, assuming that his readers know them all beforehand. The style however is clear, concise, and rapid; and to an educated reader the book is not without its value."

Some anecdotes of the rebellion followed this allusion to Taaffe. A barrister of considerable practice, known for many years at the Munster bar, named Tim Driscoll, being mentioned, "I remember an occasion," said O'Connell, "when Tim behaved nobly. His brother, who was a blacksmith, was to be tried for his life for the part he had taken in the rebellion of 1798; and Tim's *unfriends* amongst the barristers predicted that Tim would shirk his brother, and contrive to be engaged in the other court when the trial should come on, in order to avoid the public recognition of so humble a connexion as the blacksmith. Bets were offered upon the course that Tim would take. He nobly disappointed the predictions of his enemies. He waited till his brother was brought into the dock, sprang into the dock, and embraced him—remained at his side during the whole trial, and cross-examined the witnesses for the prosecution from the dock, invariably styling the prisoner, 'my brother.' He carried the sympathies of the jury entirely with him, got a verdict for his brother, and earned glory for himself. Tim had a good deal of minor cleverness;

but promotion to a silk gown spoiled him. He was one of those

*‘Qui brillent au second rang,
Mais qui s'eclipsent au premier.’***

From the preceding anecdotes some idea may be gathered of O'Connell's conversation among his familiar friends. It was truly delightful—his experiences were so extensive and his manners so fascinating. Of him it might be said—as Lockhart has observed of Scott—that his notions of hospitality included the necessity of making his intellectual stores available for the amusement of his guests. No man possessed in a higher degree the art of light and pleasant narration. The narrative faculty was with him a natural endowment, carefully cultivated by art. In earlier ages in Ireland the gift was turned to a profession; and its most eminent professors went from province to province, from castle to castle, and from *don* to *don*—sure of a brilliant recompense in return for the story they ingeniously invented, or the anecdote they pleasantly detailed. In modern France this talent, which always obtained a vogue, occasionally made a fortune; and from French society it has made its way into French literature. The admirable memoirs of Lavalette—indeed all the memoirs of the times and heroes of the first Napoleon—evinced in every page the presence of this fascinating talent.

Speaking of the year 1798, some one alluded to the case of O'Connor, a rebel schoolmaster who was hanged and beheaded at Naas. “He made,” said O'Connell, “a wicked speech in the dock. He complained of taxes and oppressions of various descriptions, and then said: ‘Before the flesh decays from my bones—nay, before my body is laid in the earth, the avenger of tyranny will come. The French are on the sea while I utter these words; they will soon effect their short and easy voyage, and strike terror and dismay into the cruel oppressors of the Irish people.’ When the prisoner concluded, Judge Finucane commenced his charge, in the course of which he thus attacked the politics, predictions, and arguments of the unhappy prisoner: ‘O'Connor, you're a great blockhead for your pains. What you say of the French is all nonsense. Don't you know, you fool, that Lord Howe knocked all their ships to smithereens last year? And, therefore, O'Connor, you shall return to the place from whence you came; and you shall be delivered into the hands of the common executioner; and you

* Who are brilliant in the second rank,
But lose their lustre in the first.

shall be hanged by the —— Oh ! I must not forget there was another point of nonsense in your speech. You talked about the tax on leather, and said it would make us all go barefoot. Now, O'Connor, I've the pleasure to inform you that I've got a large estate in Clare, and there is not a tenant on it that has not got as good boots and shoes as myself. And therefore, O'Connor, you shall return to the place from whence you came ; and you shall be delivered into the hands of the common executioner ; and you shall be hanged by the neck until you are dead ; and your body shall be divided into quarters—and may the Lord have mercy on your soul !' The only reply O'Connor made was, 'If you are kind to your tenants, my lord, may God bless you !' "

This anecdote led to some discussion on the state of Ireland in 1798. "In that year," said O'Connell, "my friend, —— and his two brothers were taken prisoners by a magistrate who owed their mother £2,000. The worthy justice went to that lady and said : 'If you don't release my bond, I'll have your sons flogged and hanged.' 'Sir,' answered she, 'if you were to treat *me* in that manner, you could not extort the bond from me ; and I am much mistaken if my sons have not at least as much firmness as their mother.' Fortunately Judge Day, who was a very humane man, went the circuit ; and as no witnesses appeared against the ——, he discharged them by proclamation. In pronouncing their discharge, Day gave the young men a sort of moral and political lecture, in which he congratulated them on their escape, and advised loyal conduct for the future. 'You have no business to lecture us, my lord,' said he, 'as if we were guilty of disloyalty. We are perfectly innocent, and are quite as loyal as your lordship. Had our enemies been able to establish any sort of case against us, they would not have failed to produce their witnesses. It is too bad then, my lord, to lecture us as if our conduct had in any respect been censurable.' Day, who was a thorough gentleman, bowed and said : 'You are quite right, Mr. ——, and I was quite wrong. I beg your pardon.' Next morning the eldest brother was again seized, and thrown into jail by the machinations of the worthy magistrate who owed his mother money. The jailer was a savage brute, and took every opportunity of tormenting him. One day he came to his cell, and said with a diabolical grin : 'I've news that is bitter to *you* and pleasant to *me*—your two brothers have been hanged, and *you* are to be strung up to-morrow ! Mr. —— was well enough aware of the frightful character of the times to know that this

was at least possible. 'Is what you have told me really true?' he asked of the jailer. 'Upon my oath, it is,' returned the jailer. 'Then, my man,' cried Mr. —, 'before I leave this world, I shall have the satisfaction of giving you as good a licking as ever man got.' So saying he pounced upon the jailer, and wallopped him awfully. The jailer screamed, and his screams attracted persons without, who would have fired at Mr. — through the grating in the door, only that he constantly kept the jailer between himself and the door. Mr. — continued to thrash the jailer until he was unable from exhaustion to thrash him any longer. The jailer then went off, and soon returned with sixty-eight pounds weight of irons, with which he and his assistants loaded their prisoner. When ironed he was laid on a bed, and the jailer beat him with a loaded blackthorn stick as long as he was able to stand over him. He then kept him forty-eight hours without food; and when the commanding-officer who inspected the prison arrived, he was utterly astonished how Mr. — survived the treatment he had received. Finding that there was not the shadow of any accusation against him, that officer set him free upon his own responsibility. 'What times!' exclaimed O'Connell after he had narrated this incident. "What a scene! The prisoner thrashing the jailer, and the jailer thrashing his prisoner! What a country in which such scenes could be enacted!"

Everyone has heard of the brave man in Lucian, who took part in a great pitched battle—safely perched in the top of a very lofty tree which grew in the field, where he watched the ebb and flow of victory with great interest and even anxiety, safely ensconced in the umbrageous foliage. An instance of this kind was brought under the notice of O'Connell, and greatly amused him. In 1798, a gentleman stationed himself in a house near Ross on the day of the battle. "Although he did not take the field, he was not altogether unoccupied, for he changed his uniform four or five times while the battle lasted. He kept scouts to let him know from time to time how the fortunes of the day went. Whenever he heard that the rebels were getting the better of it—on with his green regimentals. The next scout perhaps would announce that the king's troops were making head—on with my prudent friend's yeomanry suit; and so on, from red to green and from green to red, according to each shadow of veering in the fortunes of the fight."

Some one having named Robert Twiss, who was at one time

high-sheriff of Kerry, "Aye, Bob—poor Bob!" said O'Connell, "I remember a good hit Archdeacon Day made at Bob. While Bob was high-sheriff, I dined in his company one day in Tralee. There was a riot in the street, and Bob was desirous to interpose his authority. 'Oh! let them fight it out,' exclaimed the archdeacon. 'No, no; I'll pacify them,' answered Bob; and he accordingly rushed out into the street, and set about pacifying the people by knocking down one man on the right and another on the left, crying out all the while, 'I'm the high-sheriff! I'm the high-sheriff!' A fellow who did not care much for legal dignitaries, soon made a low sheriff of him by bestowing a blow on his head that stunned him. Poor Bob was brought into the house insensible; but his head when examined was found not to have sustained the least injury. When he revived, Archdeacon Day congratulated him, saying: 'How providential, Bob, that your skull was so thick!'"

Among his reminiscences of bar practice, O'Connell mentioned the trial of Judge Johnson for a libel which Cobbett had printed. "It was a curious document," O'Connell said. "It called Lord Hardwicke a sheep-feeder from Cambridge-shire, and Lord Redesdale a stout-built special-pleader from Lincoln's-Inn. Johnson's great object was to gain time. He sued out his *Habeas Corpus* in every one of the courts. The last was the common pleas. One of his counsel was Scriven, whose instructions were to be as lengthy as possible; he accordingly opened by stating that he had eighteen distinct propositions to enunciate. Lord Norbury soon got tired, and tried to cut the matter short by occasionally saying, 'That will do, Mr. Scriven; the court is with you on that point, so you need not occupy your time with demonstration.' 'That won't do, my lord,' said Scriven; 'I must assist your lordship with some additional reasons. I well know the great ability of my learned friends on the other side; so I cannot possibly accept your lordship's concession.' The first day was wholly occupied with stating the eighteen propositions; the succeeding days were devoted to proving them. The opposite counsel, whose game was brevity, let Scriven run on uninterrupted. When he came out of court the first day, he said: 'D—n those fellows! I could not get one of them to interrupt me!' But he and his brethren succeeded in wearing out the term. Meanwhile the administration changed; the new government (of 1806) let Johnson off easily. He was not turned off the bench; but induced to retire on a pension of £1,200 a-year."

Johnson was a "Union judge;" he had received the ermine

as a reward for corruption. He is the author of a work on the military capacity of Ireland to defend itself, which was published under the signature of Philip Roche, Fermoy.

O'Connell having alluded to the knack some monarchs possessed of rewarding their enemies, and leaving their friends unprovided for, one of the party told a story of an Irish colonel who, having fought for the Stuarts under General Monk, was utterly neglected by Charles II. The discontent of the neglected officer was increased by his witnessing the favours bestowed by the king upon many who had opposed his restoration. Accordingly, he one day said to Charles: "Please your majesty, I have fought in your service, and got nothing. An't please you, I can perhaps plead a merit that will find more favour in your royal eyes." "What is that?" demanded Charles. "Why, that I fought *against* your sacred majesty for two years in the service of Cromwell," responded the applicant. "Oddsfish, man, we'll look to it!" answered the merry monarch, tickled with the oddity of the application; and the Irish colonel was accordingly provided for.

There was nothing to which O'Connell was so strongly adverse as religious persecution. He scouted with indignant scorn the arguments which have been adduced in favour of persecution. "Nothing can be more exquisitely absurd," said O'Connell. "Persecution may make a hypocrite, but it will not make a convert. If a man is already disposed to reject my creed, why I only give him an additional reason for rejecting it if I persecute him." It was to no purpose whatever that an English friend of O'Connell's argued on the opposite side, that as the falsification of coin is rigorously punished by every government, lest the public lose their money; so the falsification of religion should be severely punished, lest the public lose their salvation. O'Connell would not hear of it. Nothing could move him—not even the example of Moses, who says, in Leviticus, xxiv. : "The blasphemer shall be driven out of the camp, and the people shall stone him"—a principle which was heartily embraced and rigorously carried out by all the Protestant sects of the sixteenth century. It was argued by the early Protestants that as it is a grievous injury to deceive a man in pecuniary matters, it must be a grievous injury to set him astray in religious doctrines involving eternal considerations. The government is bound, they argued, to prevent this ruinous fraud and deceit. Calvin accordingly proclaimed that death should be the punishment of heresy. The views which Calvin put forth, his disciple, Theodore Beza,

powerfully enforced by written arguments which seemed irresistible. Grotius and Puffendorf advanced and defended the same principle. Persuaded by such arguments, Bayle declared that heresy is the most enormous offence which man can perpetrate, and that he who insults the ecclesiastics of the paramount religion should be deprived of life. In his "Social Contract" Rousseau states that government should prescribe the religion of the people, and drive out of the country all those who dissent from the Church. In the opinion of the King of Prussia, Frederick the Great, men who openly mock what the people profoundly venerate are unworthy of toleration. Even the French Encyclopedia—that fountain of religious indifference—speaks in conformity with these views. It is impossible, according to the encyclopedists, that religious error should conduce to human happiness; because error is an evil; and as evil inevitably gives birth to evil, religious error must conduce to the misery of mankind—therefore it should be suppressed by the arm of authority.

Some one mentioned Servetus and his extraordinary book on the "Restitution of Christianity." From this it appeared that the doctrine for which Calvin burned Servetus was pantheism. God, according to him, is inseparable from nature—nay, what is more, God is nature itself. The Deity, Servetus believed, has no distinct and peculiar existence. What is visible and tangible is true; God is truth—therefore the Deity is whatever is visible and tangible. Calvin, seated in the Council of Geneva, interrogated Servetus, before he burned him alive, on this subject.

"Do you maintain that our souls are an emanation from the Divine substance—that in everything which exists there is a substantial Deity?"

"I maintain it," answered Servetus, frowning sternly and fearlessly.

"What? you wretched vagabond," screamed Calvin, his brassy eyes gleaming with fury, and stamping the earth as he spoke—"What? Is the floor the Deity? Am I now treading upon God?" and he struck the ground again.

"Undoubtedly!"

Calvin turned white.

"According to your doctrine, then, the devils themselves contain the Deity?" said Calvin with bitter mockery.

"Have you any doubt that they do?" replied the invincible pantheist in the same tone of defiance, flinging away all prudence, and risking his life rather than renouncing his errors.

Servetus, as everyone knows, was burned alive by Calvin—a controvertist who loved *conclusive* arguments.

This tale of horror had no effect on O'Connell. Even Servetus, according to him, should not have been punished. O'Connell was an unflinching champion of religious liberty. He never, in the whole course of his life, swerved from this doctrine for a moment. He deserves on this account—if no other—the eternal gratitude of the Irish people. “Nothing,” said O'Connell, “can be more opposed to the spirit of our Saviour than to persecute for errors in religious belief. In Ireland the Catholics have ever appreciated and acted on this great truth. Our hatred of persecution is as strong as our love of Catholicity. We had in this respect vastly the advantage of the English Catholics. When Queen Mary's persecution forced English Protestants to fly from England, they came here, and found refuge with the Catholic corporation of Dublin.” Religious persecution had inflicted on Ireland such appalling calamities that its mere mention excited horror in O'Connell. “With the single exception of an expression,” said O'Connell, “once uttered by Dr. Dromgoole, I defy my enemies to point out any other instance in which any member of the Catholic Board spoke with bigotry of the Protestant religion, during the struggle for religious liberty which that Board carried on under the influence of various feelings, and, perhaps, subject to much intemperance and excitement.”

The imperative demands of business seldom permitted O'Connell to remain long of an evening amongst his personal friends. Leaving his family and guests to enjoy themselves with music and festivity, he hastened to his study, where he buried himself in his books. The passenger was arrested in his nocturnal progress by the crowd of vehicles before the door; while the blaze of light streaming from the windows, and the sound of the harp and piano, and the din of festivity intimated the joyaunce that was going on within. But where was the Counsellor all this time. He sat in his sequestered chamber, and pursued his studies by the light of the taper, scarcely hearing the din of pleasure that rolled above his head. The gay splendour of the drawing-room and the patient drudgery of the study went on hand-in-hand. Nor was it at night alone—at the earliest dawn of morning O'Connell might be seen plunged into the same abstraction. Sheil, in his *Sketches of the Irish Bar*, says: “If any of you, my English readers, being a stranger in Dublin, should chance, in your return on a winter's morning from one of the ‘small and early’ parties

of that raking metropolis—that is to say, between the hours of five and six o'clock—to pass along the south-side of Merrion-square, you will not fail to observe that, among those splendid mansions, there is one evidently tenanted by a person whose habits differ materially from those of his fashionable neighbours. The half-opened parlour shutter, and the light within, announce that some one dwells there whose time is too precious to permit him to regulate his rising with the sun's. Should your curiosity tempt you to ascend the steps, and, under cover of the dark, to reconnoitre the interior, you will see a tall, able-bodied man standing at a desk, and immersed in solitary occupation. Upon the wall in front of him there hangs a crucifix. From this, and from the calm attitude of the person within, and from a certain monastic rotundity about his neck and shoulders, your first impression will be that he must be some pious dignitary of the Church of Rome absorbed in his matin devotions. But this conjecture will be rejected almost as soon as formed. No sooner can the eye take in the other furniture of the apartment—the bookcases clogged with tomes in plain calf-skin binding, and blue-covered octavos that lie about on the tables and the floor, the reams of manuscript in oblong folds and begirt with crimson tape—than it becomes evident that the party meditating amidst such objects must be thinking far more of the law than of the prophets.

“He is, unequivocally, a barrister, but apparently of that homely, chamber-keeping, plodding cast who labour hard to make up by assiduity what they want in wit—who are up and stirring before the bird of the morning has sounded the retreat to the wandering spectre, and are already brain-deep in the dizzying vortex of mortgages, and cross-remainders, and mergers, and remitters, while his clients, still lapped in sweet oblivion of the law's delay, are fondly dreaming that their cause is peremptorily set down for a final hearing. Having come to this conclusion, you push on for home, blessing your stars on the way that you are not a lawyer, and sincerely compassionating the sedentary drudge whom you have just detected in the performance of his cheerless toil. But, should you happen, in the course of the same day, to stroll down to the Four Courts, you will be not a little surprised to find the object of your pity miraculously transferred from the severe recluse of the morning into one of the most bustling, important, and joyous personages in that busy scene. There you will be sure to see him, his countenance braced up and glistening with

health and spirits, with a huge, plethoric bag, which his robust arms can scarcely contain, clasped with paternal fondness to his breast, and environed by a living palisade of clients and attorneys, with out-stretched necks, and mouths and ears agape to catch up any chance opinion that may be coaxed out of him in a colloquial way; or listening to what the client relishes still better—for in no event can they be slided to a bill of costs—the counsellor's burst of jovial and familiar humour; or, when he touches on a sadder strain, his prophetic assurances that the hour of Ireland's redemption is at hand. You perceive at once that you have lighted upon a great popular advocate; and, if you take the trouble to follow his movements for a couple of hours through the several courts, you will not fail to discover the qualities that have made him so—his legal competency, his business-like habits, his sanguine temperament—which renders him not merely the advocate, but the partisan of his client—his acuteness, his fluency of thought and language, his unconquerable good-humour, and, above all, his versatility. By the hour of three, when the judges usually rise, you will have seen him go through a quantity of business, the preparation for and performance of which would be sufficient to wear down an ordinary constitution; and you naturally suppose that the remaining portion of the day must, of necessity, be devoted to recreation or repose. But here again you will be mistaken; for, should you feel disposed, as you return from the courts, to drop into any of the public meetings that are almost daily held—for some purpose, or to no purpose—in Dublin, to a certainty you will find the counsellor there before you, the presiding spirit of the scene; riding in the whirlwind and directing the storm of popular debate with a strength of lungs and a redundancy of animation as if he had that moment started fresh for the labours of the day. There he remains until, by dint of strength or dexterity, he has carried every point; and from thence, if you would see him to the close of the day's eventful history, you will, in all likelihood, have to follow him to a public dinner; from which, after having acted a conspicuous part in the turbulent festivity of the evening, and thrown off half-a-dozen speeches in praise of Ireland, he retires at a late hour, to repair the wear and tear of the day by a short interval of repose, and is sure to be found, before dawn-break next morning, at his solitary post, recommencing the routine of his restless existence. Now, anyone who has once seen in the preceding situation the able-bodied, able-minded, acting,

talking, multifarious person I have been just describing, has no occasion to inquire his name—he may be assured that he is and can be no other than ‘Kerry’s pride and Munster’s glory’—the far-famed and indefatigable Daniel O’Connell. His frame is tall, expanded, and muscular—precisely such as befits a man of the people; for the physical classes ever look with double confidence and affection upon a leader who represents in his own person the qualities upon which they rely. In his face he has been equally fortunate—it is extremely comely. The features are at once soft and manly; the florid glow of health and a sanguine temperament are diffused over the whole countenance, which is national in the outline, and beaming with national emotion; the expression is open and confiding, and inviting confidence; there is not a trace of malignity or wile—if there were, the bright and sweet blue eyes, the most kindly and honest-looking that can be conceived, would repel the imputation. These popular gifts of nature, O’Connell has not neglected to set off by his external carriage and deportment—or, perhaps, I should rather say, that the same hand which has moulded the exterior, has supersaturated the inner man with a fund of restless propensity which it is quite beyond his power, as it is certainly beside his inclination, to control. A large portion of this is necessarily expended upon his legal avocations; but the labours of the most laborious of professions cannot tame him to repose; after deducting the daily drains of the study and the courts, there remains an ample residuum of animal spirits and ardour for occupation, which go to form a distinct and, I might say, a predominant character—the political chieftain. The existence of this overweening vivacity is conspicuous in O’Connell’s manners and movements; and being a popular, and more particularly a national quality, greatly recommends him to the Irish people—*mobilitate viget*; body and soul are in a state of permanent insurrection. See him in the streets, and you perceive at once that he is a man who has sworn that his country’s wrongs shall be avenged. A Dublin jury (if judiciously selected) would find his very gait and gestures to be high treason by construction, so explicitly do they enforce the national sentiment of ‘Ireland her own—or the world in a blaze!’ As he marches to court, he shoulders his umbrella as if it were a pike. He flings out one factious foot before the other as if he had already burst his bonds, and was kicking the Protestant ascendancy before him; while, ever and anon, a democratic, broad-shouldered roll of the upper man

is manifestly an indignant effort to shuffle off the oppression of seven hundred years. This intensely national sensibility is the prevailing peculiarity in O'Connell's character ; for it is not only when abroad and in the popular gaze that Irish affairs seem to press upon his heart—the same *Erin-go-bragh* feeling follows him into the most technical details of his forensic occupations. Give him the most dry and abstract position of law to support—the most remote that imagination can conceive from the violation of the Irish parliament, and ten to one but he will contrive to interweave a patriotic episode upon those examples of British domination. The people are never absent from his thoughts. He tosses up a bill of exceptions to a judge's charge in the name of Ireland, and pockets a special retainer with the air of a man that doats upon his country. There is, perhaps, some share of exaggeration in all this ; but much less, I do believe, than is generally suspected, and I apprehend that he would scarcely pass for a patriot without it ; for, in fact, he has been so successful and looks so contented, and his elastic, unbroken spirits are so disposed to bound and frisk for very joy—in a word, he has naturally so bad a face for a grievance, that his political sincerity might appear equivocal were there not some clouds of patriotic grief or indignation to temper the sunshine that is for ever bursting through them."

On the 13th November, 1813, O'Connell moved in the Catholic Board the following resolution, which at the time created great noise, and produced a world of discussion: "Having taken into consideration the general sentiment of Ireland, and the proceedings of the last session of parliament, we deem it necessary to declare, that no measure for regulating the ecclesiastical discipline of the Catholic Church of Ireland ought to be proposed to the legislature without having been previously sanctioned by the approbation of the Catholic prelates of Ireland."

This resolution was sternly opposed by Dr. Dromgoole. "It conveyed," he said, "a doctrine to which no Catholic would assent—that whatever arrangement the bishops, in conjunction with parliament, should adopt, the laity would be bound to receive and obey. What is this but to ascribe infallibility to the bishops—to bestow that attribute upon them, even in civil affairs, which is not allowed to belong to a general council, unless when deciding upon faith and morals. Infallibility does not then belong to a synod ; and I am sure the gentleman himself will not allow it to reside even in a tiara when he considers it was a Pope that bestowed this country upon

England. The promulgation of such an opinion by this Board would give colour to the charge which is falsely and maliciously brought against us—that we are the mere passive tools of our bishops—that we follow them with the most slavish observance, and that our very religion is in consequence not the religion of revelation, but the religion of our priests.”

The most remarkable part of Dr. Dromgoole's speech related to the vicissitudes which religion had undergone in England. “At the time that Henry VIII. assumed the supremacy,” continued the Doctor, “the religion of England was Catholic—the king himself was a Catholic; and on account of his opposition to the new opinions, he bore the illustrious title of Defender of the Faith. The parliament was Catholic, and when this, till then, unheard of proposition was made, it encountered the most decided opposition. The bishops refused to subscribe the oath; but they were told to take and new-model it at their pleasure; they did so, and they formed an oath in which the supremacy was admitted ‘as far as that right in the king was consistent with the laws of Christ.’ This appeared to be an oath that might be safely taken, and stamped by the authority of the bishops, it was universally received by the people. But this one act led to the entire subversion of religion in the country. The only two faithful found were Sir Thomas More and Bishop Fisher. They resisted to even the shedding of their blood; and subsequent events have vindicated the fidelity which dictated their resistance. Parliament now, for the first time, got into the habit of legislating in religion, and the people of submitting their faith to lay interference. England by this means was prepared for every subsequent change; and from that time to this, her faith has continued—according to the opinions of those in power—to veer about through every point of doctrine. During the concluding years of this king's reign, the people of England professed a kind of decapitated Catholicity, the articles of which were defined and enforced by parliament. Under the boy, Edward, they became Calvinists of the profession of Geneva. In the time of his successor they returned again to Catholicity; and they professed a species of piebald Protestantism under Elizabeth. In the reign of the Stuarts and the usurpation of Cromwell, they were alternately High Churchmen, Independents, and Puritans; and during the present dynasty they seem to be quietly subsiding into Socinianism.”

Dr. Dromgoole, who thus spoke, was—as is evident from the preceding extract—the grand anti-vetoist of the Catholic

Board. He kept watch over the Catholic hierarchy, and took the whole body of the clergy under his protection. He was the first who ventured to employ against the opponents of Emancipation the weapons which are habitually used against the professors of the Catholic religion. Men who swear that the creed of the great majority of Christians is idolatrous and superstitious should not be very sensitive when their controversial virulence is turned against them. The moment Dr. Dromgoole's philippic on the Reformation appeared, a great outcry took place, and Catholics were not wanting to modify and explain away the Doctor's scholastic animadversion. He himself, however, was fixed and stubborn as the rock on which he believed his doctrines built. No kind of apology could be extorted from him. He was indeed a man of a peculiarly inflexible cast of mind. It must, however, be admitted that for every position which he advanced he was able to adduce very cogent reasoning. He was a physician by profession, but in practice and predilection he was a theologian of the most uncompromising sort. He had a small fortune, which rendered him independent of patients; and he applied himself strenuously and exclusively to the study of scholastic philosophy. He was, beyond all doubt, a well-informed and clever man. He had a great command of language, and yet was not a pleasing speaker. He was slow, monotonous, and invariable. His countenance was full of medical and theological solemnity; and he was wont to carry a huge stick with a golden head, on which he used to press both his hands in speaking; and, indeed, from the manner in which he swayed his body, and struck his stick heavily at the end of every period on the ground, which he accompanied with a strange and guttural "hem!" you might suppose he had learned rhetoric on the public streets. He seemed to be a kind of rhetorical paviour, who was laboriously employed in constructing the great road to liberty, and paving the way to Emancipation. The Doctor was in private life a very good and gentle-natured man. You could not disturb the placidity of his temper unless you touched upon the Veto—and upon that point he was scarcely master of himself. "Dr. Dromgoole," says Wyse,* "was a champion of the olden times—he scorned to be deterred from the good work by the disapproval of 'these men of little faith.' He persevered unto the end—discharging, even in the moment of his retreat from public life, some of the Parthian shafts of long-nourished hatred which he had brandished so boldly in the

* "History of the Catholic Association."

earlier part of his career. His latter days were spent with great propriety in the shadow of the Vatican. Finding few ears for his truths in Ireland, he retired to Rome ; but whether to organize an 'army of the faith,' or to import a second Rinuccini for the modern Catholic confederacy, has not been transmitted to posterity. It was not without a smile that the Irish student sometimes met him in the learned gardens of that capital, maturing, with his accustomed leisure of thought and manner, some new project 'for the salvation of the infidels.' " "I remember well," says an anonymous writer, "years after all discussion upon the Veto had subsided, when I was in Paris on a visit at the house of a friend of the Doctor's and my own, he suddenly dropped in, just after his arrival from Rome. I had not seen him for a considerable time ; but I had scarcely asked him how he was when he reverted to the Veto. A debate was immediately opened on the subject. Some Irish gentlemen dropped casually in ; they all took their share in the argument. The eloquence of the different disputants became inflamed, the windows towards the streets had been left unhappily open, a crowd of Frenchmen collected outside, and the other inhabitants of the house gathered at the doors to hear the discussion. It was only after the Doctor, who was still under the influence of Veto-phobia, had taken his leave, that I perceived the absurdity of the incident. A volume of '*Gil Blas*' was on the table where we happened to have assembled ; and by accident I lighted on the passage in which he describes the Irish disputants at Salamanca—'*Je recontrois quelque fois des figures Hibernoises. Il falloit nous voir disputer, &c.*'* We are a strange people, and deserve our reputation at the foreign universities, where it was said of the Irish that they were *ratione furentes*."

"Be assured," continued Dr. Dromgoole, "that whenever parliament shall be found, with the consent of either clergy or laity, legislating for Catholics in their ecclesiastical affairs, that then the first step is taken which will lead to the extinction of our religion in Ireland. You cannot, no doubt, prevent parliament from making laws. They may, if they think fit, reenact the whole penal code. They may order your mass-houses, as they have been called, to be levelled, and your priests to be hanged. This, I know, you cannot prevent ; nor can you prevent their bestowing the appointing of your bishops on the crown ; but you can avoid giving any assent or countenance

* "I sometimes met Irishmen. You should have seen us wrangling," &c.

to the measure—you may and ought to refuse going into the negociation. There we ought to take our stand. I know there are those who imagine that if certain points were given up, Emancipation, the benefits of which they already anticipate, would immediately follow. One gentleman may be anxious for a silk gown, or look with eager eyes towards the bench; another may be sighing for the flesh-pots of the mansion-house, the gold chain, and the mace; and a third may be casting a wistful regard towards the situation of physician to the state. These men must be impatient of delay—they must fret at every obstruction that lies in the way. The situation of these longing Catholics is no doubt distressing; but they may be assured that the country does not sympathise with them. They may be assured there is not one in ten thousand amongst the Irish Catholics who would consent to give up his Church, or any part of its rights or observances, to the innovating hands of hostile legislators for all that is left for parliament to bestow. The Catholics of Ireland have hitherto resisted fraud, force, and the utmost that persecution could inflict; and they will not now yield to gratify the over appetites of those men. But this resolution takes it for granted that parliament is to be again occupied in arranging Catholic ecclesiastical discipline, that the bishops are to contribute their assistance, and that the people are to be silent spectators of the proceeding. When the gentleman contemplates the prospect, does he see nothing of dangerous omen? Does he consider that in that House there is not a member who, before he took his seat, was not obliged to declare upon oath that he considered the mode of worship which the gentleman professes, to be superstitious, impious, and damnable? And is it to those men that we are called upon to submit the new-modelling of Catholic discipline—to men whose efforts are naturally bent upon the extinction of a mode of worship which they consider idolatrous—who annually vote away enormous sums of money for this single purpose—who know and have taken no measures to stop the atrocities committed against us because we are Catholics—and who by this means have left Ireland a prey to discord, confusion, and bloodshed? No, sir; we might with more security confide the sacred interests of our religion to a Sanhedrim or Divan. I do not say this because they are Protestant; but I say it because they have taken and subscribed these abominable oaths. The Jew in the bitterness of early controversy, and smarting under the reproach of imputed reprobation, never brought forward a charge of this kind

against the Catholic ; and as to the Turk, he regards the Author of our religion as divine, and he knows no form of Christianity but Catholicity. No one, then, having these things in view can call upon us to confide in men so thinking, so swearing, and so acting ; nor will the gentleman himself, when he reflects, be ready to put the safety of his religion to hazard by submitting it to the discretion of men who have pronounced him an idolater. I do not tell him that he has been so denominated to win him over by alarming his pride or awaking his resentment. This charge is not brought particularly against him ; it extends to the majority of the Christian world, past and present Popes, prelates, kings, princes, the poor and the rich, the learned and the unlearned—all are alike involved in the sweeping anathema ; it launches its damning malediction against a More, a Paschal, a Fenelon, a St. Louis IX.—against the ancient fathers of the Church, and even against that venerable priest who first broke down the blood-stained altars of England, and reclaimed the barbarians who occupied the soil from the worship of Thor and Woden. Here there is no room for confidence. Let us then resume our watchword of simple Repeal. We will hear of no compact that is to take from the altar for the purchase of immunity—of no settlement that is to barter religious for civil liberty. This determination will, no doubt, break off all hope of co-operation with the English Catholics ; but that connexion is already dissolved. You and they could never concur. With them the ministers of worship are as servants, and they would make their altars an object of traffic. The character, indeed, of the two nations is too much at variance to hope for anything like a unity of action or fellowship of exertion. The English are a money-loving race. They have no business with priests or a mode of worship that may stand in the way of this their darling pursuit. They do not understand why religion should not bend to the promotion of their gains. With such a people you can never coalesce. The Irish hold their religion dear—to maintain it in all its integrity they have persevered through ages of relentless infliction—they have borne all the violence that the inventive malice of ingenious barbarity could devise ; and whilst the English let go the sacred deposit, the Irish maintained the faith amidst all the storms of persecution—steadfast and unmoved as the rocks that defend their shore, sustaining and repelling the fury of the waves, let the winds blow from what quarter they will.”

On hearing this speech, and some observations from Messrs. O’Gorman and Finn, O’Connell withdrew his motion in the

most handsome manner. He said: "Everyone of the gentlemen who had opposed his motion had done so from a misconception of its object; but as he was unwilling the Board should adopt an ambiguous declaration, or even one which, without altogether possessing that character, was from any circumstances whatever liable to be misunderstood, he should, with the consent of the seconder (Mr. Roche), withdraw it. He had thought that the expressions were such as to prevent every suspicion of his object being such as gentlemen seemed to suppose. He could not conceive that what he had advanced could bear any interpretation like that which had been put upon it. All he had intended was to prevent the possibility of any regulation being proposed to which the assent of the prelates should not have been previously obtained; and who would deny that such an assent was necessary? Gentlemen had said that he had fallen into the measures of government concerning the arrangements; and it was supposed, too, that in doing so he aimed at the usual reward of such merit—a silk gown ("No, no!" from Dr. Dromgoole). The line of conduct he had followed through life had given him every title to be free from suspicion on this head. Indeed were the Catholics in full possession of all the rights of other British subjects, he had never yet seen the administration under which, as an independent Irish gentleman, he could stoop to accept a situation." The magnanimity which O'Connell displayed on this occasion seemed to be appreciated by his hearers, who applauded him enthusiastically.

It would almost seem as if the object which O'Connell proposed to himself in introducing this motion was to draw out Dr. Dromgoole, and compel or induce him to pour forth before the public the rich and varied treasures of historic and theological knowledge which were hoarded in his accomplished mind. The motion undoubtedly produced this effect, and though denounced by the learned Doctor as "less the olive of peace than the torch of the furies," the motion rendered more distinct the path which the Catholics should tread in asserting their rights and advancing to liberty. During two hours, the discussion was carried on in perfect good temper, to the instruction, delight, and, we may add, edification of the audience; but owing to the defective reporting of that time (1813), the extracts we have furnished afford but an imperfect idea of this valuable debate.

Lord Ffrench was among the number present at this discussion, but he took no part in it. He was a very tall, brawny,

massive, and ghastly looking man, with a peculiarly revolutionary aspect, with which his character was utterly at variance. He had a long and oval visage, of which the eyebrows were thick and shaggy, and whose aquiline nose stood out in peculiar prominence; while a fierce smile wrinkled cheeks as white as parchment, and his eyes glared with the spirit that sat within them. His manners were characterised by the sort of drawling urbanity which was observable among the ancient Catholic gentry of Connaught. He was not a scholar; and, like too many of his order, had received an imperfect education. His mind, however, was original; and his deep voice, which rolled out in a peculiarly melancholy modification of the Irish brogue, had a dismal and appalling sound. He spoke with fluency a dialect which he seemed to have invented for his own use, and which was illustrated by a gesture equally wild and bold. He was an ostentatious duellist, and had frequent recourse to gladiatorial intimations. Pride was his leading trait of character—a passion which caused him subsequently to terminate his life with his own hand.

While the Irish Catholics held, in squalid streets in Dublin, meetings of numberless multitudes who choked the narrow precincts of their obscure halls, the English Catholics held, in the splendour and the blaze of some aristocratic palace in the metropolis of Britain, a meeting consisting of a dozen or twenty persons. On the 19th February, 1813, a meeting of English Catholics was held in a mansion in Portman-square—one of those magnificent palaces, adorned with costly paintings and life-like statues, which the aristocracy of England embellish, and which surpass in splendour and luxury the palaces of Genoa in the proud days of her Dorias—the halls of Venice when the republic of Dandolo was queen of the Adriatic. There were present, the Earl of Shrewsbury, Lord Clifford, Sir Richard Bedingfield, the erudite Dr. Milner, and the accomplished Charles Butler, and several members of the proudest families in England. To produce harmony of action between the clergy and the aristocracy—to reconcile Dr. Milner who represented the hierarchy, and Charles Butler who was the literary champion of the nobility, was the ostensible object of this meeting. As a consequence of this meeting, a document appeared in print, entitled, "*Multum in Parvo*," from the pen of Dr. Milner. An extract will give an idea of this paper, which was addressed to a member of parliament: "As to the exchange you have talked of between the legislature and its Catholic subjects," said Dr. Milner, "I own, it is the most extra-

ordinary thing I ever heard of, and the proposal of it almost reduces me to despair. In fact, what have we left to give your legislators in return for the common rights of loyal subjects, which we ask of you. We have already, in the form of oaths devised by yourselves, given our fealty, our services, our purses, our lives, our public prayers and instructions—in short, we have absolutely nothing left to give but our hearts, which we now offer you. This, however, is an invaluable present, whether made to a state or an individual."

The miscarriage of the Catholic Relief Bill of 1813—a bill more mischievous to religion than any measure "devised by Cecil, Shaftesbury, or Robespierre himself"—was in a great degree attributable to Dr. Milner—a service which O'Connell repeatedly acknowledged. For that service, which elicited the approbation of the Irish Catholic Board, the severe displeasure of the English Catholic Board at its scanty meetings in magnificent palaces was incurred by Dr. Milner. The English Catholic Board indignantly requested the venerable prelate to resign, threatening him with censure and expulsion if he delayed his resignation. But they did not know the character of the man whom they addressed. Dr. Milner did not flinch before their aristocratic tribunal. He told them that so far as his duty would permit he desired to keep peace with them, and should abstain from noticing their conduct if they abstained from publishing their resolutions—but connected as he was with a great cause, it was his duty, he thought, if they published, that he should reply. Far from withdrawing his name, he appeared in his proper person at their next meeting. In his venerable presence they resolved that they were "not responsible for Dr. Milner's writings," and that one of his productions, entitled a *Brief Memorial*, had their marked disapprobation. "Who are the 'false brethren' you allude to in that writing?" they asked him. "Mr. Charles Butler," replied the venerable prelate. In order to mortify Dr. Milner, a vote of thanks was immediately passed to Charles Butler. Dr. Milner's charge against Butler was pronounced "a gross calumny;" and an additional resolution was moved and carried: "That Dr. Milner should cease to be a member of the private board or select committee, appointed by the general board of British Catholics." The real cause of their displeasure was the concurrence of Dr. Milner in the views of Irish agitators, such as Daniel O'Connell. Dr. Milner read what an Irishman would probably have spoken—a protest against the proceedings of the board. "My *Brief Memorial*," said Dr.

Milner, "was published—not on behalf of the present company of sixty-five persons, nor of their constituents, they not being chosen to represent any other Catholics—nor does it profess to speak their sentiments. In short, I have spoken and acted in behalf of thirty bishops and of more than five millions of Catholics, whose religious business I am authorised to transact."

The five millions alluded to by Dr. Milner were the Irish nation; and his offence, in the eyes of the English aristocracy, consisted in his devotedness to the Irish people. It is impossible to express the deep indignation which the protest read by Dr. Milner excited in the breasts of his titled audience—one of whom, Sir John Hipposley, by way of answering his arguments, proposed to box him. For a few seconds common decency restrained them from expressing the boiling feelings of indignation which were raging within them—but it was only for a few moments. As he moved backwards towards the door on his retreat from their angry glances, shouts of wrath burst harshly from the crowd. Their lordships hissed, hooted, and groaned the venerable prelate—then in his sixty-first year—and seemed inclined to tear him asunder as he retreated with pale but determined countenance before the stormy vociferation of their sacrilegious fury. Laying his hand upon the handle of the door, he turned and addressed the raging multitude: "You may expel me from this board; but I hope you will not turn me out of the Catholic Church, nor exclude me from the kingdom of heaven!" Thus was a Catholic bishop insulted by a body of Catholic laymen. "A more disgraceful proceeding," says Husenbeth, "is hardly to be found in the history of the Church." "A society of Catholics acknowledging their bishops to be the divinely constituted judges and guardians of their religion," said Dr. Milner, "publicly insult and persecute a bishop for doing his duty." This valourous exploit—the "baiting," as they termed it, of a venerable prelate—filled the English Catholics with unspeakable satisfaction. The buzz of congratulation which went round the room on the departure of the bishop rose into a laughing roar of exultation. Their delight knew no bounds. They even ran breathless about London in pairs, boasting of their triumphant expulsion of Dr. Milner. "You will soon become good Protestants," said an English gentleman to whom two Catholics of noble rank related their victory; "but after all, let me tell you," added this honest Protestant, "that Dr. Milner is only defending the true old Catholic religion." "If," said an

Irish gentleman who happened to be present, but took no part in the disgraceful proceedings—"if I ever witnessed a manifestation of heroic fortitude inspired by religion, it was upon that occasion." The manner in which the Irish Catholics expressed their congratulations to Dr. Milner has been alluded to in page 251. On the very day on which he was hustled out of the English Catholic Board, the venerable hierarchy of twenty-seven bishops in Ireland, assembled in synod, were passing a vote of approbation of their faithful agent in these terms: "Resolved—that the Right Reverend Dr. John Milner, Bishop of Castabala, our vigilant, incorruptible agent, the powerful and unwearied champion of the Catholic religion, continues to possess our esteem, our confidence, and our gratitude." With such approbation and support, the venerable bishop might well console himself under the puny attempts of a few aristocratic persons to discredit and disgrace him.

"I cannot forget," said O'Connell, "though the English Catholics seem to have done so, that this venerable prelate combined the classic elegance of the scholar with the profound learning of the antiquarian and the divine—that he was one of the first who treated on polemics without forgetting the dictates of politeness and the practices of civility, and bore himself through all the excitement of religious controversy with the temper and manners of a gentleman."

To show the true character of those aristocratic Catholics and the propriety of O'Connell's censures of them, it will be only necessary to state that they astonished and scandalized the Catholic world in 1813 by forming a *Bible Society*—an institution which announced, "in its very title," as Dr. Milner observed, "a departure from the Catholic rule of faith." The catechism, torn from the hands of Catholic children, was to be replaced by the Bible published by this society, which was to supersede every other pious book. Nothing connected with this unprecedented and alarming proceeding, however, was so extraordinary as to find the respectable name of Dr. Poynter—one of the vicars apostolic or bishops of England—mixed up with it. "Who could have imagined," says Dr. Milner in his pastoral charge of 1813, "that Catholics, grounded upon quite opposite principles, should nevertheless show a disposition to follow the example of Protestants in this particular, by forming themselves also into *Bible Societies*, and contributing their money for putting the mysterious letter of God's word into the hands of the illiterate poor, instead of educating clergymen—even in the present distressing scarcity

of clergyman—to expound the sense of that word to them.” This un-Catholic project was always steadily opposed by Dr. Milner. “Whatever other prelate,” he said, “may connive at these proceedings, contrary to his expressed conviction, the undersigned prelate hereby once more enters his solemn and public protest against them.” The New Testament published by the society was garnished with short notes, which received the sanction of Dr. Poynter, but did not mitigate the hostility of Dr. Milner. “The expedient,” he said, “is evidently inadequate to its intended purpose; and it is evidently impossible to add any notes whatever to the sacred text which shall make it a safe and proper elementary book of instruction for the illiterate poor.” The Bible circulated by these “Protestant-Catholics” was stereotyped. The aristocratic members, who could not say with the apostles, “Silver and gold have I none,” spared neither gold nor silver in getting it out. Yet, after all their trouble, it tended to improve, not the souls of the faithful, but the finances of the waste-paper man. “The plates,” says Dr. Milner, “are supposed to have been sold to the pewterers.” The bull of Pope Pius VII., bearing date 29th June, 1816, inflicted a death-blow on the scheme, and covered with odium its originators. Referring to Bible Societies his Holiness said: “We have been truly shocked at this crafty device, by which the very foundations of religion are undermined.”

It was owing to the strange conduct of the English bishops on the Veto question, that O'Connell's resolution was so vehemently opposed by Dr. Dromgoole. This idea receives confirmation from the fact that a meeting of English and Scotch bishops was held in October, 1813, from which Dr. Milner was excluded, and from which a pastoral letter issued, indiscriminately praising the English laity for their “willingness to refer all terms of Emancipation of a religious nature to the judgment and decision of their pastors”—a sentiment which Dr. Milner protested against with great earnestness. “These,” he says, “and similar praises contained in the pastoral will most unquestionably be considered, both by the public at large and by the parties themselves, as applying to those leading and acting Catholics who, first under the name of *Protestant-Catholic Dissenters*, endeavoured to force a heterodox oath upon the Catholic body; and who, next under that of the *Cis-Alpine Club*, professed to restrain the usurpation of the Pope and the tyranny of the vicars-apostolic; and who, lastly, having formed themselves into a board of finance, have laboured to give securities to the established Protestant Church, and lately adver-

tised against me in the most affronting terms for saving them from the actual guilt of schism."

Dr. Milner alludes pointedly to the English Catholic aristocracy when he says, in continuation: "Instead of bestowing indiscriminate praise upon the whole of my flock for their late conduct, I am bound in duty to admonish some of the *most distinguished* amongst them, that but for my efforts, and those of the Irish prelates, under God, they would by this time have ceased to be Catholics.' For the conduct which Dr. Milner so severely censures, it seems quite evident that the Catholic aristocracy of England were alone accountable. They cared little for that faith which during ages had formed the only consolation of the Irish Catholics, and which, according to St. John Chrysostom, is the only "source of justice, the head of sanctity, the foundation of religion, without which no one ever deserved the enjoyment of God—no one ever ascended to the summit of perfection."*

"It is pleasing to record," says Dr. Husenbeth,† "that Dr. Milner was always a warm admirer of O'Connell. That great man had not yet risen to the pre-eminent distinction which awaited him, when even Wellington became alarmed at his power and influence, and he thus morally conquered Napoleon; but Milner already appreciated highly his valuable services to his country and his religion, as the following anecdote will show, which the writer himself witnessed. Dr. Milner had presided as usual on one occasion at the midsummer exhibition at Oscott College, and the writer was standing by him afterwards at the ambulaerum, when a fine Irish youth passed by. The bishop called him, and, as the boy was going home to Dublin, asked him if he should see Mr. O'Connell. He replied that he should see him very shortly. "Then," said Dr. Milner, "tell him from me that if he were not a Catholic, I would erect a statue of brass in his honour; but since he is a Catholic, I will do something far better—I will offer the adorable sacrifice of the Mass for him, that God may give him every blessing in this world and the next."

Every naturalist is familiar with the vampire bat. It comes stealthily, wheeling and flitting over an Indian while reposing in a dozing, dreaming state of half-consciousness—augments his sluggish torpor by the refreshing action of its noiseless wings—fans and soothes his tranquil somnolency into a heavy and dreamless slumber. Availing itself of this death-like

* S. Joan Chrys., Sermon de Fide spe et Charitate.

† "The Life of the Right Rev. John Milner D.D.," by Dr. Husenbeth.

lethargy, it gently inserts a tooth into his vein, and quietly, painlessly drinks his life-blood; so that when he wakes, faint with loss of blood, he finds himself powerless, feeble, and exhausted—rises with difficulty, staggers a few paces, drops down—and dies. The grand object of the aristocracy in 1813 was to soothe the people into repose; and, we regret to say, they found many Catholics to further their efforts. On the 19th of June, 1813, a letter, which Lord Donoughmore had written to Sir Thomas Esmonde, was read by Mr. Finn at the Catholic Board. In this letter his lordship seriously advised the Catholics to shut their eyes, open their mouths, and await what Providence would send them. He recommended that policy of inaction at which the energetic nature of O'Connell revolted. "The parliamentary friends of the Catholics," his lordship said, "had come to a decision not to bring the question before parliament at present for many reasons." Mr. Mahon pressed upon the Board the propriety of passing a vote of thanks to Lord Donoughmore, and declaring their intention, in conformity with his advice, to abstain from urging the Catholic claims on the House of Lords during the remainder of the year 1813. An amendment to this motion was moved by O'Connell. He said that while willing to thank Lord Donoughmore, he was reluctant to bind the Board to the adoption of his advice, not to press the discussion of their claims on the Upper House during the current session. O'Connell, however, was defeated—a strong body, led by Dr. Dromgoole, supported the original motion, which was carried by a division of fourteen to ten.

From this it would appear that the office of beguiling the Catholics, which had been hitherto filled by Lord Killeen, was now occupied by Lord Donoughmore. He unquestionably, on this occasion, led them astray. We are led to this conclusion by a letter which appeared about this time in the *Hibernian Journal*. In that letter Lord Killeen is complimented on his dignified retirement from the Catholic Board—where, we may add, *en parenthese*, it was impossible for him to remain after the exposure of his barefaced falsehoods relative to the regent's pledge. Instead of retiring with dignity, he had really skulked out with opprobrium. Nevertheless, the *Hibernian Journal* calls on Lord Killeen "to despise the clamours of the demagogue," for "there is danger in his friendship." "There is, indeed," continues the writer, "no state of intellectual agency more revolting to an independent spirit than that to which the tyrannous audacity of the Board, concurrent with the facility

of your own temper, had long and diligently laboured to reduce you."

Owing to the powerful exertions of O'Connell, notwithstanding the advice of Lord Donoughmore, a new petition, written by Counsellor Philips, was introduced to the Catholic Board. Read by O'Connell, the eloquent language of the imaginative author seemed words of gold issuing from lips of ivory. It possessed so much poetic fire and logical force—was at once so simple and so argumentative, that apostacy seemed to feel and even bigotry admired it. O'Connell as he read was frequently interrupted by the admiration of the audience, impatient to express their applause; and at its conclusion, the shouts of transport which it elicited reverberated through the hall for several minutes. The petition asked: "Are securities required of us? We offer them—the best securities a throne can have—the affections of a people. We offer faith that was never violated, hearts that were never corrupted, valour that never crouched. Every hour of peril has proved our allegiance, and every field of Europe exhibits its example. We abjure all temporal authority except that of our sovereign. We acknowledge no civil tie save that of our constitution; and, for our lavish and voluntary expenditure, we only ask a reciprocity of benefits. Separating, as we do, our civil rights from our spiritual duties, we earnestly desire that they may not be confounded. We 'render unto Cæsar the things that are Cæsar's;' but we must also 'render unto God the things that are God's.' Our Church could not *descend* to claim a state authority; nor do we ask for it a state aggrandisement. Its hopes, its powers, and its pretensions are of another world; and when we raise our hands to the state, our prayer is not that the fetters may be transferred to those hands which are raised for us to heaven. We would not erect a splendid shrine, even to liberty, on the ruins of the temple. In behalf, then, of *five millions* of a brave and insulted people, we call on the legislature to annihilate the odious bondage which bows down the mental, physical, and moral energies of Ireland; and in the name of that Gospel which excludes all distinction, we ask freedom of conscience for the whole Christian world."

Speaking of the author of the petition, O'Connell said: "He is a youth whose young heart beats high in the cause of Irish freedom, and whose darling ambition is to serve and exalt his fallen country. His muse has already adorned his native land—and in his first exertions, the promise of his future services is lively, consolatory, and certain. His poetic fancy

has proved itself rich in the enthusiasm for his country that inspired and ennobled the song of her ancient bards—and never did the soul of Irish chief or patriot burn with a flame more vivid or more pure. In the hour of our calamity and of our fallen fortunes, he has arisen—a new and splendid light amongst us, to cheer and invigorate our pursuit of freedom; and in that early stage of his youth, he exhibits those qualifications which will render familiar to the Irish ear and dear to the Irish heart the name of my amiable friend, the author of ‘The Emerald Isle’—Charles Philips” (loud and repeated cheers).

Mr. Scully made some observations that are eminently consolatory to Irishmen. He said: “I have remarked that when our cause seemed in its utmost depression—when power frowned on it and apostates betrayed it—when everything seemed lost except our honour—I have remarked that at such a time, as if it were by the dispensation of Providence, some splendid luminary has regularly arisen to cheer and console us (loud cheering). Of the petition I can hardly speak in adequate terms; it is rich in argument, profound in wisdom, and splendid in imagery. I hope the author may long live to serve his country.”

Mr. O'Connor moved—“That the heartfelt gratitude of the Catholic Board be presented to the brilliant and patriotic friend of Ireland, Charles Philips, Esq., barrister-at-law, for the exertions by which he has served and ornamented the cause of our common country.”

While the Catholic Board, under the guidance of O'Connell, was engaged in these patriotic toils, the incessant tempest of scurrility with which he was pelted by the adverse journals of Dublin was formidable if not prodigious. The exasperated virulence of their ceaseless vituperation resembled a shower of drifting, icy sleet in everything save purity. The whole pack—*The Dublin Journal*, *The Courier*, *The Correspondent*, *The Hibernian Journal*, and *The Patriot*—opened a clamorous chorus of discordant vociferation, which might be compared to the barking of the Cerberus of Virgil. As an antiquarian picks up a broken and blunted sword which, however rusty and pointless in the present day, was not without its terrors in the past, we may be permitted to select from an accumulated mass of verbal missiles the following specimen of the savage warfare of a period by no means remote. *The Hibernian Journal* for the 15th July, 1813, describes the Catholic Board in the following terms: “A paltry set of silly,

babbling, impudent, ignorant, low-bred declaimers, and dolts, and desperadoes, taking advantage of those laws which they every day abuse, have erected themselves into a second National Assembly to discuss abstruse and inflammatory subjects; and not content with this, they send forth from their den of republicanism, through the pages of their hireling journals, not the essence of disaffection alone, but the abuse of all those whose duty or inclination it is to support the laws. Now let us inquire who these are who compose this 'National Assembly,' or Catholic Board. We find them a set of disappointed bigots. Not bigots as to religion, for they have none—but bigots as to the happiness possessed by Protestants. They compose a race of upstarts who forget themselves, and by their lofty speeches strive to impose on the thinking people of England. Look at some of them, who but the other day lived by smuggling and making false lights—by placing faggots of furze on the horns of cattle to deceive unwary mariners, who by such means fell victims to the marauders dwelling near rocky shores, and thus enabled those monsters to reap the spoils of their shipwrecked fellow-creatures. Or look at others, who would never have risen above the surface of their own mean circle, were it not for the liberality of the present reign, that permitted them to be called to the bar, and thereby entitled them to wear a lawyer's gown. They would have otherwise continued to sell mutton-chops in their ancestors' stall, or continued covered with slime and tan in their earliest nursery. Such are the men who, with broken tradesmen and pardoned traitors, foam at the Catholic Board and prate of wanting liberty. Could all the Emancipation in the world regenerate such wretches, and make them become the offspring of gentlemen instead of the sons of slaughter-house proprietors? . . . We find the prominent favourite at the Board is the late Catholic petition. This petition, it is true, is full of well-fancied metaphor; it abounds in well-rounded periods—winning, courteous appeals—all combining a mass of great literary taste and composition. But all this will not suit the close-reasoning English logician. He will soon discover the great want of reasoning for which this composition is remarkable, and say it is an appeal to the passions and not to the senses. Its flowing and misguiding brilliancy will be readily seen through, and where success was expected from an artful appeal to the passions, defeat will be met with from the influence of good sense and sound judgment on the minds of those to whom it is to be presented for mature deliberation. Can there remain any doubt as to what the Catholic

Board are labouring to effect? It is in vain to conceal it; their works, their actions, and their looks bespeak what it is, as do also their conduct towards Mr. Grattan and their thanks to Dr. Milner. It is the establishment of their own religion over that of the Protestants, and a connexion with France. These are the ulterior objects they have in view; and hence they abuse such characters as the mild, the humane—but the loyal, the intrepid William Saurin, his majesty's attorney-general."

The scurrility which was showered on the Catholic Board was provoked by the services which it rendered to the Catholic cause. The control which was exercised in it by O'Connell through his speeches, and by Scully through his writings, proved in the highest degree beneficial to the Catholics. It gave a oneness to their action which had not been known in Ireland for centuries. This was its offence in the eyes of the aristocracy. "No nation, however small," says Vegetius,* "can be crushed and swept away by its enemies if it only abstain from consuming its own strength in the fatal and acrimonious wrangling of internal conflict." The Catholic Board prevented internal conflict, and interdicted violence by holding out hope. Prudence was the characteristic of the Catholic Board; and the "science of politics," says Thomas Aquinas, "belongs to the category of prudence." It was not precisely a government, nevertheless it exercised many of the functions of an executive—it levied contribution and exacted obedience—and it is obedience which makes government. It did not, like the United Irishmen, make war; but it did better—it organized preparations which, were physical force resorted to, would convert war into victory. "In war," says Napoleon, "nothing is so important as the commissariat." The primary object in war is not to kill your foe so much as to feed yourself. Now the Catholic Board, regulating, suggesting, and presiding, might be considered as a prospective commissariat to a contingent national army. Hence the clamours of the dominant press for the suppression of what they termed "the O'Connell junto"—"the Scully gang!"

"The *Courier* proceeds to ask," says the *Evening Post* in 1813, "why does the government suffer itself to be bullied by this Popish assembly. We shall tell the *Courier*. Because government cannot help itself. What can the Duke of Richmond do more than his grace has done? He had state trials, and convictions, and speeches—the Committee became a Board and walked out of the Convention Act, even as construed by

* *De re Milit.*, l. 3, c. 10.

the king's bench. Everyone laughed at the attorney-general with all his wisdom—and, truth to say, the attorney-general deserved to be laughed at. 'Your grace,' said Mr. Saurin to the duke, 'I'll put down this Committee by the Convention Act.' 'Do so, Mr. Attorney,' said the duke. Accordingly the chief justice issued his warrant; the delegates were seized; the crown-solicitor's office was in a bustle for a whole month drawing up informations and preparing lists of Orange jurors—and what was the consequence? An acquittal, a conviction, and the conversion of the Committee into a Board. This is the governmental way of extinguishing a public body. There is one way, we own, of putting down the Catholic Board—we mean the mode so successfully practised by the Orangemen in Belfast. Put arms into the hands of a corps of Orange linen-weavers. Let them go into the Stationers' Hall when the Catholics are assembled—and shoot them all! The loyal men in the north—those under the protection of the government—may do so in defence of church and state."

The labours of O'Connell and Scully in the Catholic Board produced, in 1813, an awakening of Catholic counties previously comparatively dormant. In those districts the agitation traversed a wide and brilliant orbit, which shed a new light upon the feelings of the Catholics, cheered and invigorated the people, and startled and alarmed their foes. County after county held meetings, thereby diffusing ideas, making converts, and confirming and establishing patriotic principles. The current, whose surface had been long congealed, broke up and threw off its icy crust, and leaped into rushing activity. The *Evening Post* (1813) alludes to the fact in these words: "We are glad to find that the counties are alive to the great interests of Catholic Ireland, and that they are manifesting a readiness upon which we calculated in following the recommendations of the Catholic Board."

At a meeting held in Waterford, Scully made a speech, in which he said: "The term *emancipation* is of Roman origin, and originally signified the manumission of those unfortunate persons who were in a state of slavery: and who, by this act, were immediately rendered eligible to the enjoyment of every civil and military office, in common with those who had been born of free parents or citizens of the state. Thus had the Roman slave, when raised to the enviable situation of a free citizen, an incalculable advantage over the Irish Catholic slave of the present day; and therefore the propriety of the term emancipation, both in signification and etymology, was made

evident. Among the beneficial effects which would result to the Catholics of Ireland from Emancipation, the least would not be that they would no longer be ridden over by the corporations. In many of those corporations the mayor was as absolute as the Dey of Algiers. He might possess himself of the public money, and, instead of expending it in a manner suitable to the original intention, might appropriate it to his own individual use, or divide it among his fellows in iniquity for such a length of time that all recollection of its origin would be effaced."

At a meeting held in Mayo in the same year (1813), Counsellor Finlay, a Protestant, made some admirable remarks. "You tried the effect of silence," he said, "and experience decided against its use. For ten years no voice in the empire disturbed the government with reference to Emancipation. From 1795 to 1805, session after session passed on—the Catholics said nothing to parliament, and parliament did nothing for the Catholics. Why did they give you nothing? The reason is plain—because you said nothing. Your silence was termed assent. You were first told, 'you shall be slaves because you are silent;' and now, you shall be slaves 'because you are *not* silent!' Your silence is a cause for continuing 'the code;' and your remonstrance is a cause for deferring its repeal. If this be a cause for delaying the Emancipation of the Irish Catholics, it should not be a cause for delaying the Emancipation of the English Catholics. They are, as the government would advise you to be, passive and uncomplaining—as humble in their phrase as tyranny could desire. They disturb not, they arraign not any faction in the state. They neither embarrass the councils of the minister nor the conscience of the king. They exert their ingenuity, they employ their talents in effusions of gratitude for the blessings of the constitution which gives them leave to live. They deal not in the language of offence or remonstrance. Cringing, cowering, and complimenting, they receive a blow as others would a favour; and, whilst yet staggering, they stammer forth a compliment to the energy of the arm that bends them to the earth. They grasp in gratitude the knees of tyranny, and place upon their head the foot that spurns them. They do nothing, they say nothing—and *they get nothing.*"

At the same meeting Counsellor Philips alluded to O'Connell in the following words: "I trust the petition will put an extinguisher on the apostates from the cause of their country. Most sincerely shall I thank the hour in which I wrote it, if it does so. It will bind, if possible, more closely to my heart

the inestimable friend at whose request it was composed. I cannot speak of O'Connell without doing myself an injury—no one can do it. Every heart in his country so throbs at his name, that no tongue is capable of doing him justice. Catholics, he speaks to you as you ought to be spoken to—he has too great a respect for your understandings to flatter you both at the expense of your dignity and your interest. What is the consequence? The whole body of the Catholic trimmers—for I will say it, the very basest of that species is to be found in your own body—the whole clan of them, pensioners and expectants, the leeches of place and the apostates of patriotism—all fling upon O'Connell the slanders of malevolent tongues. For my part, I declare before God I have a higher respect for the open, manly, avowed Orangeman than for those abominable pretenders who would traffic in your misfortunes and betray you with a kiss. . . . The repeated discussion of your cause has, at this moment, convinced everyone who has not an interest in opposing you; and there is not in the ranks of your enemies a single creature who has the faculty of reasoning. I know well there are still some security men—a set of beings whom nothing could convince. How often have I seen an assemblage of those legislative worthies devising 'securities' over the orgies of the punch-bowl; their minds, like their favourite beverage, a medley of mawkish and vitiating contradictions, and their few ideas coursing one another, mid the most ludicrous collision, through the fumes of their intoxication. How often have I seen them—their hand grasping the jug and their minds grasping the constitution—hiecuping confusion to Christ for the sake of the Church, and drowning their own memories out of compliment to King William's! These are the animals who clamour for securities—these are the creatures before whose fantastic and besotted shrine five millions of human beings are asked to sacrifice their liberties! 'Give us securities?' We offer our lives! 'Give us securities?' We offer our properties! 'Give us securities?' Take our dearest ties on earth—our wives and children! 'Give us securities?' Take our oaths! Still, still they bellow out, 'Securities!' Catholics, give them no securities at all, since they will not take even the God of heaven as the trustee of your allegiance. I rejoice that that motley compound of oaths and penalties, the Security Bill, has been scouted by all parties; the people of Ireland have not been suffering centuries of death and persecution for the purpose of putting on at last a piebald garment of rags and tinsel, which could only add to

their wretchedness the ridicule of ostentation. That prodigious coalition, the memorable committee, may put it out of their heads that you will be content with huckstering up half-a-dozen peers for the political Rialto,* or allow your prelates to be dragged, with a halter round their necks, to the vulgar scrutiny of every village tyrant. And for what? Why, in order to enrich a few political traders, and distil, through some state alembic, the miserable rincings of an ignorant, a decaying, and a degenerate aristocracy. . . . The mind of Ireland is on its march, and who shall stay it? They might as well set boundaries to the shoreless air, or command the movements of the majestic ocean, as either prescribe or oppose its progress. Grand, lucid, and resistless, the splendid orb rolls on its course rejoicing—its path paved with stars! its goal—eternity!"

The wide diffusion of Catholic agitation was the most remarkable feature in the Irish history of 1813. That agitation embraced in its sweep a large segment of the surface of the island. It burst up everywhere in the shape of numerous and enthusiastic meetings—in Clare, Carlow, Cork, Kilkenny. An air of cultivated intellect, a spirit of untameable liberty, pervaded the speeches and resolutions of the Catholics of Kilkenny, which rendered them alarming to the aristocracy and encouraging to the populace. The tone of manliness and energy, independence, and even defiance, which characterized them reflected the highest honour on the eloquent inhabitants of "the Marble City." They said: "Resolved—That the existence of the penal laws renders us a people alien and outcast from the privileges and freedom of the English constitution; that this free constitution of England is to us more a subject of insulting and injurious mockery than of benefit and pride; that relatively to us it is a code of partial and oppressive enactments, and *not* a system of equal and cherishing law; that living, therefore, under the crown, but not under the constitution—a degraded race—we feel ourselves in a more debased condition than the slaves of an absolute monarchy, where tyranny is not the portion of the few but of all; that it is our duty as well as our glory to struggle against this bondage; that we will not be willing slaves; that we know our religion not to be the reason but the pretext of hypocritical tyranny for enslavement. England may oppress but shall not dupe us. Resolved, therefore—that it is a wise and manly policy to proclaim our slavery to Europe in the most distinct manner possible, and that for

* The Rialto was the money-market of Venice.

this purpose the measure of applying to the Spanish Cortes met our most decided approbation. If we suffer, at least let England be put to shame. Resolved, 'That we congratulate our fellow-countrymen of all ranks and classes upon the approaching deliverance of Ireland from the tantalizing and intolerant administration of the Duke of Richmond. Ireland has never known so mischievous a system, and can never know a worse. May the merited odium which pursues him warn his successors against trampling on the sacred right of petition; outraging the feelings of a good and gallant people; or ministering to the base arts of intrigue, intolerance, and injustice. Resolved, 'That Daniel O'Connell, Esq., is eminently entitled to our gratitude and applause for his many and precious services rendered to the Catholic cause and to his country, his faithful performance of his duty in the Catholic Board, his unshaken constancy in watching over the interests of Ireland, his early opposition to the humiliating bill lately proposed in parliament, his intrepid development of the crimes and treasons of the Orangemen, and finally the dignified, eloquent, and unparalleled oration which he pronounced, on the 27th July, in defence of the virtuous and patriotic John Magee.' We hold that oration to be of inestimable value, and singularly calculated to control the partialities of the bench, to shame and stigmatize the bigotry of a selected jury, and to rebuke into native insignificance the vain and vulgar law officer who shall hereafter invade a free press or vilify an injured nation."

An uncommon effect was produced by the preceding resolutions. The Orangemen denounced them, the patriots eulogised them—all classes discussed them; and finally the government prosecuted the *Evening Post* for publishing them. The aristocracy seemed paralyzed with dismay, while the vituperation of the Orange journalists resembled the ravings of insanity. Every slave of power was stung to madness—every enemy of liberty was mortally offended.

Concentrated by sagacious organization in Dublin, and spread in its ramifications far and wide over the surface of the island, the power of the Catholic Board was growing formidable to the oppressors of Ireland; and in the dark chambers of their satanic complots, its destruction was secretly determined on. In order to effect this nefarious purpose they removed the Duke of Richmond who was a political ruffian, to make room for Viscount Whitworth who was a political swindler. In every period of Irish history the English aristocracy, since Henry II., have employed two modes of governing Ireland.

When she put forth her power in battle, they crushed her with armed force ; when she manifested intellectual energy in peace, they swindled her by diplomatic fraud. Killed by soldiers or cheated by Machiavelists, the Irish were bruised, crushed, and ground, as it were in a mortar, by the cruel and alternate action of the cunning which swindles and the violence which overwhelms. While the Catholic Board was weak, a great parade of military apparatus was manifested by the dissolute Richmond—soldiers swarmed in the streets, barracks rose in every district. But when, fostered by the solicitude of O'Connell, the Catholic Board assumed gigantic proportions, the tortuous craft of the serpent was substituted for the rushing violence of the boar. This is ever the case. When Ireland heaves and tosses in her agony—when she struggles and threatens to break loose from the British connexion, and cannot be struck dead, some veteran diplomatist—hoary in wiles and stratagem, practised in craft and subterfuge—some Shylock of the cabinet—some Chesterfield or Heytesbury—is sent over to act as viceroy. This is the invariable remedy for Irish discontent. The strength which refuses to be put down by force, is hoaxed and disarmed by Ulyssean cunning.

On the 27th August, 1813, the Duke of Richmond left Ireland. He was succeeded by Viscount Whitworth, who arrived in Dublin a few days subsequently. Since the time of Chesterfield the atheist, so wily a trickster as Whitworth the viscount had not appeared in Ireland. He was full of those “crooked counsels and dark politics,” which may be termed the knavery of statesmanship. Under his administration, and owing to his unscrupulous craft, the Catholic Board was slowly seized with peculiar inertness—though it was not killed, it received a paralytic stroke. It was benumbed ! Precisely as Chesterfield broke down the “undertakers,”* Whitworth broke down and swept away the Catholic Board.

The state of Ireland in the time of Chesterfield was the most extraordinary in the world. The Beresfords and the Ponsonbys, the Fosters and the Wellesleys—the “undertakers” were the rulers of Ireland. The power of “the great families” was supreme. That power commenced in treachery, grew in perfidy, and became adult in persecution. While that power flourished in all its guilty magnitude, the English government was not able, were it even willing, to adopt any plan calculated to re-

* The leading members of the Irish aristocracy—the Fitzgeralds, Ponsonbys, and Beresfords—*undertook* in the last century to govern Ireland for the king. They were consequently termed “undertakers.”

concile the Irish people. Every step taken by the government was with the permission of the garrison, on whom rested its sole dependence for the maintenance of its ill-gotten and mischievously-exerted power. Nothing could be more horrible or heartrending than the squalor, degradation, and misery into which the Irish people were plunged by these "great families." Berkeley and Swift have described that misery in language which will never be forgotten while the Irish nation lives. Chesterfield was no friend to Ireland; but the Scotch rebellion menaced the throne of England with destruction, and compelled the atheous diplomatist to speak plainly. He saw clearly and announced boldly that the Irish aristocracy was the disgrace and calamity of Ireland. He did more—he taught his English brethren to regard those titled ogres with suspicious aversion. From motives of jealousy rather than of justice, England first weakened and finally destroyed the organized oppression of the "undertakers." Their extinction was sought by good and bad means—by the *Septennial Bill* and the *Act of Union*. Britain weakened the Irish oligarchy by the *Septennial Bill*; and by the *Act of Union*, which swept away their corrupt traffic in boroughs, she crippled their power. The chains of Ireland—the penal laws—which were riveted by the Irish aristocracy, could only be removed by their dissolution.

As in the eighteenth century Chesterfield came to Ireland to undermine the power of our great oppressors—the Ponsonbys and the Fitzgeralds—so, in the nineteenth century, Whitworth came to Dublin to subvert the power of our great liberators—the O'Connells and the Scullys. Scully, in the *Evening Post*, addressed Whitworth in a series of powerful letters on the vices of his immediate predecessor. He painted the revolting vice of drunkenness, to which Richmond was addicted, in startling colours. "The English aristocracy," he said, "seldom sought for talent as a qualification for the viceregal throne of Ireland. They were long in the habit of deputing a *King Log* to govern us. They either sent us a viceroy without brains, or one who was notorious for the habitual vice of putting an enemy into his mouth to steal away his intellect. Private vices transferred into public station, become the just subject of public scandal; for they are the necessary object of public observation and necessary causes of mischief. The man who is sottish to-night will be stupid to-morrow. The man who is sottish every night will be stupid every day. A sottish habit creates a stupid mind. The understanding becomes clouded with the fumes of inebriety. A lazy, drowzy, careless disposition is generated.

The mind as it were evaporates, and the intellect is quenched when the body is soaked in intoxication. Ignorance, inebriety, or both, have been too often the characteristics of Ireland's chief governors. Northington, Townsend, Rutland, or Richmond were distinguished for nothing so much as for thirst! Ignorance about Ireland is the bane of her viceroys. A faction that prospers on the calamities of the country, surrounds him the moment that he touches our shore, hurries him in a close carriage from the beach to the council chamber, and cages him in the Castle for the rest of his administration. This corrupt cluster never lose sight of him at home or abroad, in business or recreation, at a sermon or a play, on a visit or a tour. Move how or where he will, like Saturn, his ring still surrounds him. By dragoons they keep off the people from his view; with their intrigues they keep off the gentry from his person. Residing in the Castle he, as it were, lives in an island, and they keep him in ignorance of the community that surrounds him. That faction treats our viceroy as they would a prisoner. They surround him at his landing, inclose him at the Castle, escort him through the country, nor ever lose sight of him, nor leave him at large, till they are required to return him to the commander of the yacht, and exchange his excellency for his successor. At that time the question was not how Ireland should be governed—but which of the factions should govern the governor. Before the administration of Chesterfield, and down to that of Townsend, the viceroy was the creature of some faction in the aristocracy. The viceroy was no more than a regal puppet, whose movements were entirely regulated by some aristocratic juggler behind the curtain."

All this was perfectly applicable to the stupid Richmond, but did not at all apply to the wily Whitworth. The very boldest of his detractors shrank from accusing Whitworth of any deficiency in talent. Indeed talent was necessary to his mission. He came to Ireland to put down O'Connell, and proved in his nefarious way as able as the Agitator. During the most pregnant portion of Europe's eventful history Whitworth had been accustomed to reconcile the jarring interests of powerful states, and tear asunder the harmonious arrangements of national coalitions. He contended in the field of diplomatic chicane with the unprincipled Talleyrand, with Romanzoff, with Bernstorff and Segur. He had spent his life in diplomacy, and represented at Warsaw, Petersburg, Copenhagen, and St. Cloud, the power and influence of Britain. Whitworth, it was alleged, had been concerned in the parti-

tion of Poland and the annexation of Dantzic. He it was who first caused a Russian fleet to anchor in the Downs, and a Russian army to march into the plains of Italy. At a subsequent period he had contended, however unequally, with the intelligent diplomacy of the victorious ruler of France. This was the man who succeeded the inebriate Richmond, and who hoped to effect, by scheming and deceit, what his predecessor failed to accomplish by open force and rude violence. He was, in short, an ambassador, and one of those whom the poet denounces, as

“Calm thinking villains, whom no faith can fix,
Of crooked counsels and dark politics.”

So numerous are the crimes with which ambassadors in all ages have been charged, that it would be tedious and even painful to enumerate them. Their name is legion. One of the lightest, but the most common of their alleged offences, is that of corrupting the fidelity of ministers and servants of the monarch in whose court they reside, and seducing them by the irresistible attractions of gold to betray the state secrets of their master. As it is the duty of soldiers to kill for the good of their king, so it seems the duty of ambassadors to cheat for the advantage of their country. Though nothing can be imagined more opposed to the mutual obligations of mankind—nothing more nefarious or dishonourable than to purchase perfidy and suborn treason—nevertheless such practices in a diplomatist have had their apologists. Henry IV. said on one occasion: “An ambassador is bound to employ corruption to ferret out intrigues and complots prejudicial to his master’s interests.” Fraud, in short, seems to be a necessity in diplomacy. Thus ambassadors have been accused of fomenting conspiracies, fostering rebellions, and privately caballing for the distraction and overthrow of the state in which they reside; and the question whether ambassadors who thus outrage the rights of nations are not liable to immediate punishment, has been often mooted but never satisfactorily answered. The fact is, that a shroud of impenetrable darkness is usually drawn by the guilty hands round these complots, so as to baffle evidence and render conviction impossible. The minister of a foreign power, who is not amenable to the law of the land, may be regarded as a licensed conspirator, as he cannot be subjected to those judicial formalities which would rend the veil and expose his secret intrigues.—Thus, when a secret conspiracy was organised by the Spanish

ambassador in France, and discovered by the Duke of Orleans, the latter contented himself with placing the Spaniard under arrest—seizing his papers, and ordering him to quit the kingdom. The Venetian aristocracy did not even do so much when they unveiled a similar conspiracy, which was fostered if not founded by the Marquis de Bedmar. Those prudent patricians merely besought him to quit the republic, lest the populace, who regarded him as the soul of the conspiracy, should in their blind fury lay violent hands on his excellency. Even the crime of poisoning or assassinating the monarch in whose territory he resides, has not been always—when perpetrated by an ambassador—visited with the punishment which an atrocity so enormous justly merits.

Such are the crimes of ambassadors, and Whitworth had been all his life a member of such an embassy.

When an ambassador becomes a viceroy, he naturally, and we may say inevitably, transfers into the sphere of government the unscrupulous craft and chicanery of diplomacy. Be this as it may, certainly under the administration of Viscount Whitworth the most lamentable dissensions, in the most unaccountable manner, broke out and raged among the Irish Catholics, and frittered their organizations into discordant and fragmentary shreds; and when he retired from Ireland he saw with a smile their once formidable masses perfectly prostrate, or crumbled into atoms. No one, of course, could trace these fatal wranglings home to his excellency—he played his part too secretly; but as the administration of diplomatists is invariably attended by such disastrous results in Ireland, the historian, however willing, cannot safely attribute to accident a coincidence which is evidently the result of deep and nefarious design.

A terrible disruption, shortly after Whitworth's arrival, broke out amongst the Catholics of Cork. One party absolutely refused to sit in the same room with the other. O'Connell, called upon to re-establish concord, visited the sulky secessionists. At an aggregate meeting, which was held in Cork shortly after the arrival of Viscount Whitworth, O'Connell said: "Gentlemen, nothing can be of more benefit to us than unanimity, and therefore it is that I should propose that you give the seceders another opportunity of returning to their post and to their duty. I think those gentlemen have seen their error: they begin to find they are nothing. I saw them a few moments back, a few scattered individuals in a corner of a yard. I addressed them, because though small, very small indeed, in

their numbers, yet as individuals they are respectable, and I wished to undeceive them. I asked them if they were Roman Catholics, and could they talk of 'securities.' I told them to leave securities to the minions of the Castle—to the pensioned hirelings of the state—ay, and to the Orange-Papists too. . . . At present how are we treated? Something in the manner of mad dogs, which they will not let loose without first tying up one of their legs. They will give us Emancipation after we give them security—security that we will be slaves. Let us then go after those people—let us endeavour to effect, if possible, an understanding between the anti-vetoists and the vetoists. I do therefore move, sir, that a deputation of ten persons be appointed to wait on the committee, and commune with them on the present differences, and that they do return in one hour with their reply."

This was of course agreed to. A deputation waited on the seceders, and prevailed on them to return. A Mr. Galwey then took the chair, and a Counsellor M'Donnell proposed a resolution which made the fires of discord burn furiously. "I propose a motion," said Counsellor M'Donnell, "for the unanimous thanks of this highly respectable meeting to that great, good, learned, and able defender of our religion—that watchful guardian of our rights, the enlightened prelate, Dr. Milner (cries of "ay, ay! hear, hear!"). Gentlemen, I knew it would be received with acclamation—I knew that the name of Milner was sufficient to rouse all the fine feelings of gratitude and generosity in Catholic Ireland. But think not that I mean to panegyrize his great and splendid virtues. No; a mind like his, enlightened by the bright rays of knowledge and science, soars above all feeble praise; but this I cannot avoid saying, that Dr. Milner has contributed more, by his talents and the application of his great labours, to the interests and concerns of Ireland and the religion of her children, than any other individual in the community. Well he may be called the watchful shepherd. Perhaps, under divine Providence, it is through his care and his exertions that we can still enjoy the profession of our religion uncontaminated by vile courtly influence."

The resolution proposed by Counsellor M'Donnell was seconded by James Roche, Esq.

"Well, gentlemen," continued M'Donnell, "I have another motion to propose—it is one of thanks to another good and worthy gentleman who has fallen a victim to the patriotism or his soul and the vile machinations of our enemies—a gentle-

man suffering within the precincts of Kilmainham for his attachment to Ireland; but suffering with the feeling and the heroism of a genuine Irishman. Gentlemen, those who have virtue enough to expose themselves in the great cause of the people, the people should never abandon. Gentlemen, I shall now move a vote of thanks to one who has so exposed himself; and in return we will now cheer John Magee—suffering in his dungeon—with the approbation of applauding thousands. I do therefore move the thanks——

[Here the speaker was interrupted by the acclamations of his auditory, impatient to express their sympathy with Magee.]

“Gentlemen,” continued M'Donnell, “I have now another resolution to move in favour of an honest and noble-hearted Irishman—the boast and pride of our land and the terror of our enemies. I will now move a vote of thanks to our illustrious countryman, Daniel O'Connell.”

A rapturous burst of deafening applause—an instantaneous shout—followed this announcement. The place rang with a perfect tempest of cheering and clapping, and every possible demonstration of approbation, which continued for several minutes. When the applause had partially subsided, a Mr. Moylan came forward and said: “Mr. Chairman and gentlemen, I appear before you here to address this assembly of my fellow-citizens, not as a popular leader, but as wishing to express my opinions upon the justice or injustice of certain proceedings. I did expect that after two hours spent in attending our negotiation, every matter would have been soberly digested, and that no resolution would be proposed here in addition to those so digested and amended by that negotiation. I did myself intend to have proposed a resolution to this meeting; but after that negotiation I gave it up and resolved not to propose it; and therefore I am the more astonished to find any man come forward to propose any resolution which every respectable man in this meeting will disapprove of. (Loud cries of “Name it! name it!”) I will not shrink from proposing a resolution against Mr. M'Donnell. I will propose a resolution against the vote of thanks proposed by him to Dr. Milner. (Loud cries of disapprobation.) I will briefly state my reasons for objecting to the three motions proposed by Mr. M'Donnell. My first is against Dr. Milner; his tergiversation is known; he disappointed our friends in Ireland and deceived us all—and his tergiversation is acknowledged by all. And upon the second point I fear not to express my disapprobation to a vote of thanks to Mr. Magee—a

man generally known and acknowledged to be a convicted libeller."

A storm of disapproval was aroused by these words. Hooting, hissing, cries, and clamour drowned the voice of the speaker, and rendered him inaudible for several moments. When the tempest abated he said: "With respect to the third motion of thanks to Counsellor O'Connell—no man respects his private worth more than I do; but if I grant him a vote of thanks, it will be approving his *public* conduct; therefore I cannot give my consent to any vote of thanks to him. And as an amendment to Mr. M'Donnell's resolutions I do move—'That no spirit of conciliation has or ever will be wanting on our part; and that we are ready to make every concession to our Protestant brethren, consistent with the safety, integrity, doctrine, and essential discipline of our church.'"

This insult to Dr. Milner did not fail to find a seconder. A Mr. Eugene M'Sweeney immediately came forward, and stamped with his approbation that discreditable proceeding. "Good God! what have I heard?" exclaimed a gentleman named Denis. "In the centre of as high-minded and as proud a people as the world ever saw, what have I heard? With amazement I have heard it stated that Mr. Magee is a convicted libeller! Gracious heaven! A gentleman of noble and manly sentiments and high honour to be thus traduced! Gentlemen, I can well remember when I first entered college, his father was conductor of that enlightened and liberal print, *The Evening Post*. It was then the only respectable or talented paper in the kingdom. If there be a convicted libeller among you, scout him; but first judge his character upon evidence untainted and incorruptible. Have you never heard of juries being packed and truth being a libel? Oh! reflect—beware! Remember the times you live in, and the scenes you have lately passed through. If you are not cool and temperate, your enemies will designate you as a rabble; but by calmly hearing their feeble arguments, their object is defeated and Ireland is triumphant."

"Mr. Chairman and gentlemen," said O'Connell, "I offer myself to your notice this moment with feelings it is impossible to express. I offer myself in support of two resolutions, and most decidedly adverse to the third. It is wrong of you to think of bestowing thanks on one of yourselves, who, in his exertion in common with yourselves, can do no more than merely his duty—fight and struggle in a good cause; but be-

sides all this, there is no man worthy of what is said in that resolution, and therefore I do entreat of you to dismiss it from your notice, as one unworthy of occupying your attention. (Cries of "No, no ; pass the resolution !") But, gentlemen, it is objected to that enlightened prelate, Dr. Milner, that he at one time agreed to the Veto, but that afterwards he changed his opinion. Oh ! would to God that any man who finds himself in error would act thus nobly, and, believing that he may be wrong, would not go about misleading others ; but like the great and good divine whom they charge with tergiversation, renounce his errors and permit the public mind to repose in peace. Who are those men who charge tergiversation ? Why, they are persons who change hourly—such among them who have opinions to change ; for the majority of them possess no opinion at all. Who are those independents who have so lately started up amongst you ? or what is their title to the character of independent ? For my part, I avow I do not know in what their independence can exist, except in the fact that no one can depend on them (laughter). But yet these are the persons to come forward and charge, upon a high-minded and deeply embarrassed divine, 'tergiversation,' because upon a point of vital and most essential importance, where his great mind was awakened to a sense of threatening danger by the honest remonstrances of his virtuous brethren, he calmly listens to the dictates of conscience, re-considers, and, finding his error, openly, honestly, and manfully avows it. He did not allow his enlightened mind to be obscured by the doctrines of this world ; no selfish vanity, no worldly pride prevented him from retracting his errors ; he did so—and, like a man whose kingdom was not of this world, as publicly as he had erred was his sorrow and regret. And, gentlemen, what is Dr. Milner, after all, but a man ? Can you expect more of him than you allow to all other men ? It is the lot of human nature to err, but it is only the greatness of virtue that retracts and feels regret. But look at the blind policy of those erudite politicians ! It is really surprising how modest, meek, and humble those enlightened independents are ! The population of Ireland declare against all vetoism, under every shape and form ; and these youths come forward, the one to propose, the other to second a resolution—for what ?—for provisional securities. You are called upon to defame the character and wound the feelings of one of the most learned and able men in England—a prelate who is now opposed in England by a vile faction, more disgraceful and

possessing worse passions than the infuriate anarchical faction which desolated and laid waste the happiness of society in France. But the faction is still more wicked, because they are the determined enemies of everything virtuous, liberal, honest, and enlightened. And this is the vile faction which would seek to bow his grey head in sorrow to the grave. They endeavoured to cast him down, but the voice of Ireland met him in his fall and upheld him. How glad should I be to know those people who thus act against reason and good sense. How gladly would I labour to convince them of their error. But why should I lose time? Who are they? What are they? Where are their numbers? Is there another man in this immense meeting to join those two youths? Oh! that they could count our numbers to-day! Will they call for a division? Oh! for the tellers to enumerate our majority! Oh! what an appearance would those dissenters exhibit! What a minority of two or four to countless thousands! And what do they dissent from? From the principle now laid down by the Board. We will make no charges of tergiversation, nor will we blame those unreflecting young gentlemen if they now retract their errors. But I will tell those people who are satisfied with the late bill, that, far from being a bill of relief, it was anything else save a charter of emancipation. Oh! how proud I am of the unanimity I perceive upon this great point. It will be a delightful consolation to the already tortured feelings of the good old prelate! He has broken no faith with you. There has been no breach of contract. He has watched with a guardian's care over your interests. Too honest, too sincere, he is too virtuous to deceive Ireland. He possesses a combination of all the qualities and all the excellencies which should compose the aged prelate; and amongst all these great qualifications there is but one thing bad about him—he has, for us, perhaps too much of the Englishman about him. But, gentlemen, when I turn my thoughts on the other branch of Mr. Moylan's speech, what are my feelings? Oh! for the pensioned minions of the Castle! Oh! for the attorney-general and the persecutors of Catholics to stand here to-day, and behold a Catholic rise in a Catholic assembly, and pronounce John Magee a convicted libeller. If you would reflect upon the thousands of which you are daily deprived to bestow upon the wretched hireling prints of the day—if you could know the sums lavished upon the dull and stupid *Patriot*, upon the vile and proverbially profligate *Correspondent*, to abuse, revile, and condemn the people—to blazon forth a

bigotted ministry—you would soon discover that the enlightened and patriotic owner of the *Dublin Evening Post*, which has the confidence of the people, would have been gladly and eagerly purchased up. How then might such a young gentleman, so educated, so enlightened, be received at the Castle? How might he have made his way among the minions of the court, instead of being calumniated as a convicted libeller? Oh! for a packed jury in some trying case where Mr. Moylan's feelings or interests were concerned to make him know the effects of courtly influence. If this Mr. Moylan could have seen the masters of Orange lodges sitting on the jury of John Magee, he could not have hesitated to decide that John Magee would have been declared a convicted libeller. If Mr. Moylan had been placed under such circumstances, however innocent his conduct, he too would have been declared a convicted libeller. But of what was he convicted? That he truly described the character of the Duke of Richmond's administration. Is it not in all your recollections that this great duke dined at the mayor's feast in this very city; that he on that occasion refused to drink the toast proposed—"the glorious and immortal memory;" and yet is it not a fact that this great duke did actually pardon Hall the Orangeman, the murderer of the only son and only support of an aged widow? Did this noble duke bring to punishment the murderers of the Catholics of Corruginshega? No. And yet this noble duke, with the attorney-general at his elbow, brings a prosecution gravely into a court of law to defend the purity of his administration in Ireland; a jury of Orangemen are impanelled—they find truth is a libel—they find John Magee is a libeller. Let this noble duke enjoy the fame he has reaped in this great exploit. I will tell him that John Magee is happier in his mind confined within a dungeon, than that lord duke is now in his palace; and that when the memory of that lord duke shall be forgotten in our land, or only recollected with disgust and horror, the name of Magee, the independent proprietor of the *Evening Post*, shall be hailed as the proud and stern advocate of a nation's rights, and the glorious victim of persecution and proscription. To be sure he is now in Kilmainham prison; but he feels no pain for himself—he feels only for his country—for you, my Catholic countrymen; but yes! he will feel pain when he hears that at a meeting of the Catholics of Cork, a Catholic Irishman rose up and called him a convicted libeller. But I call upon this young man not to discredit his name and his family by this transaction; I

call on him to retract—it is the only means left him. (Mr. Moylan here said “he would not,” and another person said he “could not,” as he was pledged to perseverance.) Well, then, there is no way left but to divide upon it; but how can that be accomplished? Well, is it not provoking that we cannot see what majority they will have against a vote of thanks to John Magee. There he is in Kilmainham—in the bloom of youth, with a head clear and intelligent, his genius keen and brilliant, his heart virtuous and incorruptible. Yes, my countrymen, his head is as clear as his heart is honest; he is a true Irishman, and I pride myself in calling him my friend. He is ardently, really, honestly attached to his country. He has cause to be so: he is deeply interested in her peace, tranquillity, and glory. He would call out to her aid an unbought army of Irishmen; and for these virtues he is sentenced to linger out two years in a dungeon! When it will be imparted to Mr. Magee that this vote of thanks passed this meeting, his honest heart will rejoice; but what will be his pleasure when he is informed that there was an objection: he will see that it only called out the greater spirit in the people—he will see that it gave more gravity, more weight, more consequence to the measure. My good friends, guard yourselves against division—be watchful of those that seek to divide you. Such divisions have put down Ireland—a continuance of them will destroy the finest and fairest country in the world. We have no intense heat in summer to dry up the earth to barrenness. We have no chilling winds in winter to freeze us to death. We are the most light-hearted people upon any shore. For seven hundred years our spirit has continued unsubdued. We were never beaten in any battle: on one occasion we submitted to an agreement—a compact which was broken not by us, but by those who pledged themselves solemnly to its fulfilment. Why then should we be abused? Why insulted? Why doubted in our honour, in our integrity? At all events, why quarrel between ourselves? If it were not for these cursed divisions, Ireland would be the paradise of the world. With respect to the third motion before you, I shall be short—particularly as it regards myself. When I directed my attention to the great cause I am engaged in, I could not but anticipate the assaults which would be made against me. I set out with a fixed determination that though I may be deprived of abilities to serve, yet I knew I had a heart to feel; and thus emboldened, I trusted more to the excellence of our good cause than the talent of the advocate; and if I have

in any degree been conducive to the great interests of Catholic Ireland, I rejoice. Nor shall the slanders nor the vile malignities of my enemies deter me. I will go on ; and the more I am maligned, the more shall I be pleased, and hope the more for the prospect of success. Nor will I ever doubt of myself until I shall hear those wicked hirelings of corruption teem forth odious praises of me—then doubt me, but not till then. Externally and internally I shall fight the enemies of us all, who are sometimes found nearer to us than we suspect—and they are the more dangerous for that. I have laboured and will continue so to do. But adopt not this exaggerated praise offered to me here to-day ; it is not possible that I, or any man, could be deserving of it. I give up this motion to Mr. Moylan. I make him a present of this point, and let him give us the rest. (Loud cries of “No, no! we will not, we will not!”) Then, beforehand, I thank you ; sincerely and honestly I thank you. It encourages—it cheers me on. I here want language to express my feelings. While I live I will never forsake poor old Ireland !”

James Roche said : “Gracious God ! Mr. Chairman, are we now to bow down to this vetoism ? What else is it but vetoism, brought forward under the name of provisions, securities, and concessions ? Sir, I have just seen a work lately published by a most enlightened gentleman, Major Torrens. . . . I will take the liberty of reading his manly and liberal remarks on this subject.” Mr. Roche here unfolded a pamphlet, and read a portion of it. When he had done, Major Torrens stepped forward, and said : “Mr. Chairman and gentlemen, it is impossible for me to be insensible to your appreciation of my feeble efforts in the cause of Emancipation. Ever since I became capable of forming a political opinion, I have been impressed with the propriety of granting to my Catholic fellow-subjects a participation in the privileges of the constitution. Why, gentlemen, it was in the bosom of the Catholic Church that our free constitution received its birth. Catholics rocked its cradle ; Catholics watched over its infancy, cherished its childhood, and matured its youth. Let those who would persuade us that the Catholic Church is dangerous to our liberties refer to the reign of our third Henry, and see all the Catholic bishops and abbots assembled, and, after reading the great charter, fulminate with solemn ceremonies and tremendous denunciations all the terrors of the Church against any who should violate the fundamental instrument. Dangerous to admit Catholics into the House of Commons ! Why, gentle-

men, the Commons' House of Parliament was created by Catholics. If to our view should be presented some ancient temple, which in sublime simplicity had withstood the shock of ages, and remained the admiration of the world; and if before this venerable pile some modern architect had raised a narrow gateway, with what scorn and derision should we turn from the person who pretended to persuade us that this petty gateway could not be removed without endangering the monument of genius which it disfigured. This temple, my fellow-subjects, is the British constitution; this narrow gateway is our excluding laws. Let scorn and derision, therefore, be our answer to those who say that the excluding laws are fundamental principles in the British constitution."

On the conclusion of Major Torrens's observations, the three motions before alluded to were put to the vote. Four persistent individuals opposed these votes; but they were carried, nevertheless, by a sweeping majority of ten thousand! A vote of thanks was subsequently proposed to Counsellor M'Donnell, which caused a remarkable individual, Remy Sheehan, subsequently editor of the *Evening Mail*, to favour the public with, we believe, his first appearance on the political stage. Remy Sheehan, who was at this time a Catholic, said, "Mr. Chairman, I hope I shall not be treated with a worse reception, when I declare myself a member of that body which Counsellor O'Connell styled independent, because nobody would depend upon them. I am aware upon what authority Mr. O'Connell made such an assertion. I am aware—I will pledge myself to prove that it was upon the unfounded assertions of a public print which has disgraced itself and disturbed the peace of the city—upon the unfounded assertions of a public print, the *Mercantile Chronicle*. (Loud cries of "No, no!") Gentlemen, I will not be put down in this way if you were to go on till morning. I say again, the unfounded assertions of the *Chronicle*. [Sheehan was here interrupted by the clamours of the croud, who were indignant and dissatisfied with his observations.] Gentlemen, I am a very young man," resumed Sheehan—"I never before addressed a public meeting; but I do confidently assert, that the statements in the *Chronicle* about the independents were unfounded and slanderous. [Here a perfect storm of hootings and hissings, rising from every quarter of the meeting, interrupted the speaker.] As the meeting will not suffer me to speak, I shall retire."

Counsellor M'Donnell then said that he was extremely grateful for their approval. He was connected with the *Mercantile*

Chronicle, which Mr. Sheehan had alluded to. "I can assure you," continued Counsellor M'Donnell, "that the office of a public journalist, if he mean honestly, is not the most pleasing to private feelings, as he is not unfrequently obliged to sacrifice personal respect and personal regard at the shrine of public duty. And as to myself, I do declare that if my father, my brother, or my child were to oppose or injure the interests of our country, I would without hesitation advocate, and as far as in my power uphold, those interests in despite of all personal restraints; and should, I trust, have enough of Irish firmness to denounce your enemies, even if they were to be found among such near and dear relatives—for, gentlemen, in my conception, the just principle for such guidance is, that in all things, and in all times, and under all circumstances, Ireland must first be served."

James N. Mahon addressed the meeting subsequently. "I call upon you," he said, "to shake off the cowardly imbecility of the hired and interested faction that has risen amongst you like a plague. Disrobe yourselves of the odious garments of vile and trembling slavery. Let no man—let no body of men persuade you to basely crouch like abject sycophants, when you should boldly meet the natural enemy like Christians and like men. I appeal to your honest unsophisticated feelings. I ask the coldest, the most abject Catholic slave who has crawled here to-day with his chains of fear, moderation, and terror hanging about him—has not every engine that power could raise or atrocity fortify been embattled in lengthened array against you? Has not the earth been swept to its dregs, and hell itself raked up by dark and infernal agents, to find amid the lucid horror of the hour that undiscovered instrument which Nero once was heard to sigh for—that axe of appalling execution, that could at one blow for ever extinguish the hopes and political existence of five millions of that people of which we form a great and important division to-day? You have heard with indignant feelings the youthful, the warm-hearted Magee—who has been consigned to a dungeon's gloom because he dared to paint the woes and sufferings of his poor, bleeding country—called a convicted libeller. Heavens! how my heart instinctively recoils at the sound. Is this his reward—this his recompense. Let his calumniators look to his torn country, and say what is its history for twenty years past, or whether the generous captive has written untruths? Behold its religion, the faith of its children, calumniated, and its brave inhabitants insulted, abused, and trampled on! Look

to the recesses of the land—behold the famished peasant and the tyrannical aristocrat, his bigotted and unfeeling landlord. Is this enough of the gloomy picture to show the venal hireling whose columns are bought to defame us that liberty has fled the land, and that the poisoned chalice of insidious slavery even now is attempted to be substituted for the cup flowing with the invigorating juice of British liberty? Or must we go farther, and behold a court of star-chamber record worse than all that's fabled of the Inquisition? Its ministers move about in darkness, ready to catch the falling word of honest warmth, and steep it in poison as it descends from the lip. Every man who dares to speak a word or line of truth is dragged before the merciless tribunal, and condemned to languish in the melancholy gloom of the dismal dungeon. This is the vaunted liberty of the independent moderators of our days. These are the slaves and wretches who would be the first to crouch in abject servitude before the tyrant of half Europe, and chant the loud pœans of his full-fraught glories—nay, who would throng in tumultuous emulation to address Caligula's horse or the elephant of the king of Siam, if raised to the honourable rank of our worthy viceroy to-morrow."

The Rev. Dr. England said that he should beg leave to detain the meeting for a few moments with some observations not strictly of a public character. It was an established fact that the Catholic Board of Cork had refused to hold a meeting in any chapel. It was well known that many of the Board had declared their reason to be, that the clergy would have too much influence in such a place; and it was bruited abroad that improper arrangements had been made previously to the last meeting in the North chapel, and that the meeting was packed; that signals were made for the purpose of exciting applause or disapprobation; and that his name had been particularly mentioned. He now stood forward to deny every tittle of the charge. He asserted that nothing partial or ungentlemanlike could be proved against him. As no person supported the accusation, he should not proceed further."

Thanks were then voted to the chairman, and the meeting adjourned.

A large number of gentlemen at this moment assembled round O'Connell, and suggested to the people the propriety of chairing the illustrious orator. In opposition to his earnest entreaties and resistance, O'Connell was placed in a chair, and borne through the streets on the shoulders of a grateful multi-

tude. The procession moved slowly up Hanover-street, part of South Main-street, along Tuckey-street, and into the Parade. As they entered the Parade their numbers, swelled by continual accessions, amounted to twenty-thousand. The continuous acclamations of this vast multitude—cheering and huzzaing enthusiastically as they proceeded—were perfectly deafening, and rang through the entire city. The procession halted at Laffan's, the hatter's, on the Parade, where O'Connell at the time had lodgings; and from a window of that house he subsequently addressed the meeting. "Gentlemen," he said, "I assure you with perfect sincerity that I feel the most abundant gratitude for this generous mark of your esteem. If it were possible that I should require an additional incentive to urge my attachment to our common land, the unmerited favour you have just now bestowed on me would have supplied it. You will not, I am sure, be dissatisfied with me if, upon one point most essentially connected with your interests and character as Irishmen, I venture to offer my humble advice. (Loud cries of "Go on, go on!") Gentlemen, the greatest evil that has followed the past transactions among yourselves is to be found in the neglect of registering your freeholds. I do therefore implore you, now that I trust your distractions have subsided, to return again to the discharge of that first and sacred duty—the discharge of which alone can enable you efficiently to prove the sincerity of your gratitude to that first of statesmen, C. H. Hutchinson. (Thunders of applause and waving of hats for several minutes.) Gentlemen, I do beseech you to prepare for the next day of trial, and do not suffer the great cause of your city and your country to be impeded in its progress by internal distractions. (Loud and continued cheering, followed by repeated bursts of applause.) I beg leave once more to assure you of my gratitude and sincere good wishes for your prosperity."

O'Connell, having thus concluded his address amid the cheers and acclamations of his countrymen, withdrew from the window. The crowd repeatedly renewed their acclamations after his disappearance, and then gradually and quietly withdrew.

From the tumultuous proceedings at Cork, it seems quite obvious that some veiled hand had sown deep in the bosom of the Catholic body the baneful seeds of discord. It was in vain that the dignified eloquence of O'Connell rebuked the envenomed spirit of dissension. The storm subsided for a moment, only to break out with more savage violence. There

was unquestionably some evil principle secretly at work, which baffled O'Connell's exertions, and roused and exasperated the tempest, and poured over the whole island a darkening and maddening effusion of stormy passions. This seemed perfectly evident. • Meantime his Excellency, the new viceroy—with a heart of ice, a face of brass, and a mendacious tongue, tutored to conceal not to express his thoughts—lay coiled up like an old serpent in Dublin Castle, slumbering apparently amid the tumult which sprung up everywhere around him. No one suspected his lordship—no one connected him with the “hurley-burley” which had been conjured up. The *Evening Post* complimented him on the possession of talents which he was employing clandestinely in accomplishing the ruin of that journal and its supporters.

On the 11th September, 1813, the *Evening Post* published what purported to be Viscount Whitworth's “reply to an address from Trinity College.” “This address,” said the Editor, “must diffuse satisfaction. I fear no contradiction when I say that, as a composition, it is the best that ever dropped from the lips of a viceroy in Ireland. The writer must be a scholar of talent and refinement. I know you wrote it yourself—I know you are too proud to resort for assistance to a secretary—I know you are too able to require it, and I believe that you could do it yourself better than the Irish secretary. Indeed, Mr. Peel, though an excellent college scholar, became too soon a man of office to be a man of letters. I say again, you wrote this address yourself. In this respect you resemble the hero, Wellington—vain of being independent of a secretary,” &c.

The astute character of the wily diplomatist into whose hands the fortunes of unhappy Ireland had now fallen, receives elucidation from this circumstance. Having flung the address in question before the public, and thus elicited a warm eulogy of his talents, he turned round and declared he knew nothing whatever of the address in question. He rewarded their slavish adulation by rendering them ridiculous. He was not a week in the country when they felt themselves in the power of a Mephistophiles; mortified, befooled, and laughed at—bogged and floundering in an inextricable maze of doubt and confusion. In his own peculiar manner he puzzled, bewildered, and bamboozled the leaders of the Irish, by way of feeling their pulse before he tore them asunder by dissension, and prostrated their strength by frittering their mass into repulsive, conflicting, and discordant atoms. His conduct

was eminently clever, but cruel, heartless, cold-blooded, and satanic. This is what it is to be governed by an ambassador—a man trained to perfidy and deception in the evil school of royal courts. At the same time Viscount Whitworth was incapable of a cruel or violent action. He would not cleave down the Irish with the sword; he would, owing to his cowardice, cautiously and gradually assassinate them with pins.

One of the ablest men that the Irish Church ever produced quitted Ireland during the Whitworth administration, disgusted with the wrangles which distracted his country; for it is the duty of a diplomatic viceroy not merely to inflict misery on this island by exciting dissension, but to banish those virtues and talents which might frustrate his malignant and ruinous machinations. In his "Life of O'Connell," Fagan says: "The principal mover in the whole of this democratic insurrection against aristocratic pretension in Cork, was the celebrated Dr. England. He was a man of great powers of mind, amazing intellectual energy; possessing, too, a masculine eloquence, and a stern, unflinching determination, well suited to a popular leader. He had all the qualities that contribute to the influence, and are necessary to the office of an agitator. No literary labour was too great for him; no opposition was too powerful. He was, from the first, a decided anti-vetoist. Indeed, we may affirm, he was the guiding genius of the anti-Quarantotti movement. He was, at the time we write of, editor of the *Cork Mercantile Chronicle*—an honest, well-conducted paper, the downfall of which is a lasting stigma on the patriotism of the south. He worked up the movement against the local Catholic Board; and at last forced the members to publish their proceedings. Why was it Ireland afterwards lost the services of that distinguished man? Why was his lot untimely cast in a foreign land—in the southern states of republican America, where his genius burned out amidst a race of uncivilized slave-owners? He sacrificed himself to the service of religion; but would he not have rendered it more service as a prelate in his native land, co-operating with such able and exalted men as Dr. Doyle in improving the condition of the people, and making Catholicity respected even by its enemies? The endowments of a mind like his were partly lost in the semi-barbarous sphere of Charleston, and those southern states of America of which he became bishop. The boundless regions of the far West presented opportunities too few for the exercise of those accomplishments and gifts with which he was enriched. Re-

ligion might be propagated by intellectually inferior agencies. Amongst the busy, money-loving, pre-occupied, and scattered sojourners in those wild, half-settled territories, one mind, however masculine and energetic, could accomplish little. His profound learning, his theological acquirements, fell upon a barren soil; though, as the result has proved, from their intrinsic vigour they took root and flourished. It is, primarily, the poor Irishman who carries with him into these regions the religious feelings and traditions of his forefathers—who is, as it were, religious by instinct, and who clings, with a tenacity of purpose almost incredible, to the minutest observances of his faith—it is, primarily at least, by instruments such as he, that Christianity is destined to be spread over the boundless regions of the western world. Ireland is the nursery of Catholicity. Her very poverty and misfortunes, that oblige her people to emigrate, are, after all, a glorious ordinance of Providence for the purpose of propagating, by ordinary means, the blessings of true religion. It is to Ireland that, as teachers of religion, as the instructors of humbler missionaries, such men as Dr. England should be assigned. It was therefore always a source of deep regret in after days that circumstances, we believe of a private nature, suggested his appointment to the episcopacy in America. He who broke down the Veto spirit in Cork, would have rendered invaluable services in the various subsequent struggles for civil liberty and social and political amelioration; for his was a master-mind—and it was on such a stage as society in Ireland afforded that his noble and various attributes would have found material and room for action. It was the prevailing opinion of that day that Dr. England was the author of the celebrated letter which, under the signature of ‘One of the Populace,’ was published in the *Evening Post*, and for which an action was brought against the unfortunate John Magee by one of the ‘Protesters,’ Mr. Coppinger. The action was tried in Cork, and is to this day memorable in that city, from the cutting sarcasms against the ‘property the standard of opinion’ gentlemen, uttered by Magee’s counsel in one of the most telling speeches ever pronounced in a court of justice. The writer was a boy at the time, but he well recollects being at the trial; and he has now in his mind’s eye Harry Deane Grady, amidst the profoundest silence, giving expression to those biting sentences that are, even to this day, repeated by the descendants of that generation.”

The discord which distracted and perplexed the people of

Cork, immediately after the preceding meeting, was of the most distressing and aggravating character. The walls were sheeted with placards, and the newspapers with advertisements, all at war with one another. The Catholic clergy were fiercely calumniated in the Protestant papers, and lamely defended in the Catholic prints. They had distributed, it was asserted, handbills of an inflammatory character, and from the altar excited the people to the violence which rendered the recent meeting so tumultuous and stormy. All this and much more was alleged against the clergy of Cork with the view of exasperating the people, to whom such charges were peculiarly galling. To these accusations the clergy published a reply: "A paragraph having appeared in a newspaper in this city," they said, "charging the Catholic clergy with using indecent misrepresentations to inflame the minds of the people preparatory to the late aggregate meeting; and further stating that the clergy from their altars told the people the Catholic Church was in danger, and ordered them to defend their religion by attending the meeting; thereby, as is alleged, encouraging violence—now the Catholic clergy of the city of Cork declare most solemnly that they did not use such expressions; nor are they accountable for the handbills—which, however, they do not consider to have been inflammatory—that were distributed on that occasion," &c.

The friends of O'Connell, who issued documents like the above, were answered by the enemies of popular liberty, who published documents denouncing, in most unsparing terms, the recent meeting. A long list of signatures was attached to the following proclamation: "We, the undersigned Roman Catholics of the county and city of Cork, anxious to vindicate ourselves from the imputation of having sanctioned opinions and proceedings which we neither concur in nor approve, do hereby protest against the proceedings of the aggregate meeting held yesterday, convinced as we are that many of the resolutions there adopted are at variance with the good sense of the Roman Catholics of this county and city, and calculated more to injure than to promote the advancement of our cause."

This was not the only document of the kind which was issued at this time, and which tended to aggravate the exasperation which unfortunately separated and alienated Catholics from Catholics. A meeting was held on the 4th September, 1813, at the Bush tavern in Cork, which aroused conflicting passions in every part of Ireland by the following resolution: "Re-

solved—that, adopting the wise principle of the constitution by which property is made the standard of opinion, we found it impossible at the late aggregate meeting, amidst the tumult of the lowest populace—ignorant by necessity and misled by design—to ascertain the sense of the Catholics of this city and county.”

An article appeared in the *Evening Post* relative to this resolution which attracted the attention of the people and their rulers. It was signed, “One of the Populace;” and while John O’Connell* ascribes it to his father, Fagan† attributes it to the pen of Dr. England. From intrinsic evidence we are inclined to believe that John O’Connell is right. The article bears the stamp of Daniel O’Connell’s mind—those turns of expression which were characteristic of the Agitator appearing in every line.

The writer, who was evidently a lawyer, says: “They state two things evidently false” in the resolution in question; “first, that there is a principle in the constitution by which property is made the standard of opinion. Property is a good standard of contractors; but it is no more the standard of opinion than it is the standard of law or of Latin. . . . Why, who do you think those men, that declared that property is the standard of opinion, took as their second chairman. A friend of mine, poor as I am, Mr. William Coppinger, better known by the nickname of ‘Jamaica!’ I was quite sure, sir, that they picked out the second richest man amongst them as the standard of their opinion, and as their second chairman. You cannot think how pleased I was. Now, thought I, the five pounds he owes me these three years will be paid. Off I ran to his assignees; for, sir, I was kept out of my honest earnings by his being made a bankrupt. Off I ran to his assignees. ‘Gentlemen,’ said I, ‘pay the five pounds that Mr. Coppinger owes me. He has got some great estate—he has certainly got a great property. “Property is the standard of opinion;” here it is down in the newspapers, signed “William Coppinger.” My debt is a fair debt, and honestly due—and so pay it.’ You may judge of my surprise when the assignees quietly replied that my debt was certainly a fair one, and that if I went to the expense of employing an attorney and moving it regularly, they would pay me a dividend as well as the other creditors. I asked what the dividend would be. The assignees solemnly assured me they expected in another year to be

* O’Connell’s Life and Speeches, v. ii., p. 28.

† Fagan’s Life of O’Connell.

able to make a dividend of two-pence in the pound, and that I should certainly get a tenpenny bit for my five pounds. But to return. They say, secondly, that we are the lowest of the populace—ignorant by necessity and misled by design. How could you say such a thing, Dan Donovan—you, who are a miller? What were you, my dear Dan? You were also in your day a liberty and equality boy—and this is not the doctrine you preached to us at the mill. Indeed, indeed, Dan, it does not become *you* to be an aristocrat. To be sure, no great reliance can be placed on the accuracy of men who have belied the constitution. For, I believe, there never was anything so untrue as to say that the constitution measures a man's opinion by the weight of his purse. Was there ever anything so silly printed? Why, if it were true, no rich man could be in point of fact a blockhead—there could be no wealthy fool! Or, I suppose a rich man who talked foolishly might be indicted before the recorder for violating a principle of the constitution. 'Your property, sir,' the recorder would say to the convicted dunce, 'your property is made the standard of opinion, and you have, in contempt of the wisdom which belongs to property, been convicted of having talked nonsense; and therefore you are to be imprisoned six months at hard labour, to teach you the great principle of our constitution—that property is the standard of opinion. Dear Mr. Magee, I should like to see some of our Protesters tried at sessions under this statute. It is called, I believe, the statute for adjusting the standard of opinion by exact amount to the wealth of each individual.'

For publishing this article, which O'Connell wrote, John Magee was prosecuted. If ever a man deserved to be called "the Martyr of the Press," unquestionably John Magee was that man. In the whole history of continental despotism there is nothing more revolting—nothing more tyrannical or atrocious than the cruel and repeated prosecutions of Magee by the aristocracy of 1813: they seemed determined to ruin that honest journalist. Again and again they dragged him into their corrupt courts of law to be bullied and baited. Again and again they confronted him with their drivelling, blear-eyed, illiterate, and dissolute, judges, whom they had foisted on the bench for corrupt practices at the Union. Again and again they overwhelmed him with fines, and plunged him into their dismal dungeons. Having corrupted every other paper in Ireland with a subsidy, they determined to sweep away the *Evening Post* by persecution, and in furtherance of their nefarious object rained prosecutions on Magee.

Still, animated by the talents and directed by the honesty of Denis Scully, the *Evening Post* held on its way, undeviatingly devoted to truth—denouncing the hereditary oppressors and advocating the best interests of the Irish people. Its conduct at this period was admirable. It was in vain that, in one instance, Magee, before sentence, was subjected to five months' imprisonment for an offence for which one month's imprisonment was considered by the judges a sufficient penalty. The courage of the *Evening Post* was not cowed by such flagrant injustice. Finding this to be the case, the aristocracy fell back upon their favourite expedient of dividing and exasperating the Irish—a plan which at least one Irishman seemed perfectly conscious of. At a meeting held in Cavan on the 23rd September, 1813, a speaker—Dr. M'Donald—said : “Mr. Pitt himself, in the House of Commons, admitted that England has been always unjust towards Ireland. That great statesman never expressed a greater truth ; her plan ever has been to govern this country by that infernal Machiavelian policy, the *divide et impera*. No country will ever be great or prosperous that will not be governed by the very opposite principle—a principle so strongly inculcated on his sons by the dying king of Numidia : ‘ *Concordiâ res parvæ crescunt—discordiâ res maximæ dilabuntur.*’* To what is it owing that we are so far inferior to Scotland in civilization, in knowledge, in manufactures, commerce, and in every useful science—a country over which we possess every natural advantage ? To our dissensions—to our antipathies ; to the few being favoured whilst the majority are discountenanced, distrusted, and excluded from the pursuits of honourable ambition or of those that lead to the attainment of wealth or independence. England, if she wished, could tranquillize this country, and make her happy and prosperous ; but the truth is, she hates Ireland, though she owes to her, in a great measure, the proud and exalted position she now holds amongst the nations of Europe ; and this can only be accounted for on that principle in human nature so well expressed by Tacitus—‘ *Humani ingenii est odisse quem læseris.*’† It is her own fault that she has not been able to govern Ireland in peace. Let her adopt, instead of the policy of Machiavel, the sound policy by which Augustus ruled the world in the most profound peace—when his empire extended from the banks of the Euphrates to the

* By concord small affairs magnify into greatness—the greatest are overturned by discord.

† To hate him that he has injured, is natural to man !

Roman wall below Edinburgh, and from the deserts of Africa to the banks of the Danube and the Rhine. And to what does Gibbon, the celebrated historian, attribute this happy state of the world at that period? To the universal toleration that was granted by that great and wise prince. . . . A vast deal of odium has been heaped on Mr. O'Connell," continued the speaker. "The cause of peace owes a great deal to that gentleman; but I deny most distinctly that the Catholics are led by him, or by any set of men. The great body of the Catholics are well able to think for themselves; but Mr. O'Connell has made enemies for himself because he is an honest man and a true friend of his country. . . . Cicero, in one of his philippics against Mark Antony, declared that there was no man, for the previous twenty years, who was the enemy of his country that was not *his* personal foe. Therefore, if Mr. O'Connell had not enemies, I would not consider him as a true patriot. Consequently, 'sir, I am determined to move a resolution of thanks to him, and also to Mr. Magee, the proprietor of the *Dublin Evening Post*, who at this moment is a sufferer for the part he has taken in your cause—an honourable public-spirited man to whom we owe a great deal, but particularly the detection of the abominable, flagitious, and unprincipled attempt to impose on the House of Commons a document purporting to be a petition from the Protestants of Dublin against our claims. The names of people were affixed who, so far from being hostile to our claims, were on the contrary friendly; and not only that, but the names of people who never had any existence. And besides, is there no merit due to his undaunted denunciations of public villany—his exposure of magisterial corruption, and his spirited reprobation of the profligacy and intolerance of men in power?"

The votes of thanks to O'Connell and Magee were, we need not say, carried unanimously by the respectable meeting of the Catholics of Cavan.

The disastrous dissensions exhibited by the Catholics of Cork in the meeting already described were deeply deplored by O'Connell, and afflicted his heart with unutterable anguish. One incident, however, connected with that meeting afforded him unspeakable pleasure. While the lord lieutenant was plotting the disruption and subversion of the Catholic Board, and craftily contriving the frustration and disappointment of Catholic aspirations, a few kind words from the vicar-apostolic of the midland district served to cheer the Catholics—to allay

the pain, if not to heal the wounds inflicted upon the Irish. It was the only pleasing incident connected with the meeting. Eneas Mac Donnell wrote, on the 4th September, 1813, to the English champion of ecclesiastical liberty, the following letter : “ My lord, I have the honour to transmit to your lordship the copy of a resolution adopted at the most numerous and respectable meeting of the Catholics of the county and city of Cork which has been assembled for any political purpose within the memory of man. Having been the humble instrument of the public dispositions on that occasion as mover of that resolution, I am restrained from the expression of those feelings of cordial concurrence which press upon me, lest their utterance should be construed to be rather an effort for my own justification than the honest, disinterested assurance of my conviction of your transcendent merits.”

To this letter Dr. Milner replied : “ Sir, however conscious of my obligations to exhibit myself as the minister of God in the word of truth—by honour and dishonour—by evil report and good report—yet I cannot be insensible to the tribute of generous feeling and uncompromising orthodoxy which a myriad of your Catholic fellow-countrymen have deigned to pay *me*, in common with their own incorruptible and zealous prelates for our joint efforts in preserving their divine religion from the oppression and schism which lately threatened it under the mockery of relief to themselves. The loud and almost unanimous voice of the great Catholic body, which still resounds from every other quarter of your island as well as from the city and county of Cork, at the same time that it refutes the gross falsehoods on which the oppression and schism were grounded, will prevent, I trust, a fresh proposal of them. Not only then have those Protestant statesmen who were led to believe that their long laboured clauses would be opposed by a single obstinate man, seen the delusion which was practised upon them—and not only have those Catholic politicians who sought to disgrace one of their bishops for performing his bounden duty in keeping them within the pale of the Catholic Church, experienced that the disgrace has redounded upon themselves ; but what is of much more consequence—the relative weight and character of the component parts of the Catholic body is now ascertained. Hence, it may be safely affirmed, that no statesman in future will consult with the diminutive and un-accredited remnant of *Protesting Catholic Dissenters* about the emancipation of Catholics ; much less will he employ their counsellor—the most unsuccessful negotiator and the most ob-

noxious individual of our whole body—to draw up parliamentary bills for this purpose. No ; the grand business of Catholic Ireland must and will be transacted with Irish Catholics ; and the primary part of it—that of religion—must be left to the tried wisdom and piety of her exemplary prelates. For the unequivocal and resolute expression of their Catholicity in this particular, I hold myself chiefly indebted to the millions of Ireland ; it forms under God the principal ground of the security of their religion for English, no less than for Irish Catholics, at the present time.”

All this throws a clear light on a scene of storm and dissension. It enables us in some degree to measure the altitude of those men who, in the early part of the present century, battled for the privileges Catholics enjoy at present ; and by showing us the enormous difficulties they had to encounter—the vexations that thwarted and harassed them—the impediments that obstructed their rough and painful way—it exalts our estimation of their merits, and awakens a sentiment of profound admiration of their herculean exertions. What O'Connell had to effect is elucidated in some degree by what Dr. Milner had to encounter.

“ Finally,” says Dr. Milner, “ it cannot now be denied that the measure which I, acting in my own official capacity, and as the accredited representative of the whole Catholic prelacy of Ireland, was insulted at a meeting of English Catholics and posted in the newspapers for opposing, was, in fact, of a schismatical as well as of an unconstitutional nature. The consequence is, that if the bill had passed into a law, those men would have ceased to be Catholics, and genuine Catholics would have been involved in a religious persecution. True it is, I might have escaped one part of the affront by consenting to withdraw my name from the Board, but ‘ No,’ said I ; ‘ that would be a disavowal of my principles ; therefore, let them expel me.’ The question now is—an important one to the Catholics of Ireland—what person or persons are properly answerable for the mischief they were so near incurring ? I answer, they were not the parliamentary framers of the bill ; these, as Protestants who swear that our religion is idolatrous, could not be expected to be anxious about its safety ; on the contrary, they must have been willing to accept of whatever sacrifices of it the Catholics themselves were willing to make. . . . No ; they were deceived by ignorant and false Catholics, both as to the disposition and religion of the Catholic body. . . The fact is, the superintendence and management of all our English

Catholic business has by degrees fallen into the hands of a very small number of persons, who without any delegation from their fellow-Catholics, or any other pretension than their being of old families, think and act for them on every occasion, and call themselves the *Catholics of Great Britain*. I will not otherwise point them out than by saying that the nucleus of them formed themselves at one time into a *Cisalpine* or No-Popery club, for the avowed purpose of resisting the 'usurpation of the Pope and the tyranny of the vicars-apostolic.' "

The spirit of insubordination which the labours of this paltry club of Catholic aristocrats aroused amongst the very priests of the English Catholics is not only amazing—it would be incredible were not the circumstance proved by the evidence of Dr. Milner himself. This evidence will show how dangerous it would be to allow English Catholics to exercise any power, prerogative, or influence over the Irish Church.

In a letter which, in 1813, O'Connell read with profound interest, Dr. Milner says: "Having been one of the guests at the dinner at the Clarendon Hotel, I was careful not to obtrude myself unnecessarily on the notice of the company; when two or three clergymen who seldom pass over an opportunity of declaiming about the *observanda*, as they are called by taking notice of certain slights which were put upon me by some respectable personages, and the manner in which I was spoken of by others, seemed to think the opportunity favourable for drawing over the Catholic nobility to make a common cause in getting them rescinded. The *observanda* are the regulations of the English mission for the due administration of the sacraments, and the proper comportment of the Catholic clergy. . . . Certain clergymen, as I have said, were talking against the *observanda*, when one of them, the Rev. Mr. A., raising his person and his voice, exclaimed that 'the *observanda* were the most absurd and ridiculous composition that ever was published.' I agree with you that no time or place could be more improper for a defence of rules concerning the administration of the sacraments than the Clarendon Hotel after dinner, and at ten o'clock at night; still, an attack having been made upon these rules in the presence of whatever is most respectable in the Catholic body, and upon me, a vicar-apostolic—and this without reprehension from any other quarter, I am sure your good sense and religion will induce you to agree with me that it was not only lawful for me, but also that it was my bounden duty to enter my protest against it. This I did in as few and as guarded words as possible—by barely rising up, and declar-

ing that I held myself responsible for whatever is contained in the *observanda*. And whereas Mr. A., being still on his legs, proceeded to say that he 'was glad to find a man who would take upon himself singly to defend that most absurd composition,' and to declaim at considerable length on 'the alleged Socinianism of the Church of England, and the inconsistency of the regulation concerning conditional baptism,' &c., I barely continued standing in front of him as the party accused, and by way of avowing my confessed responsibility to his charge. What, now, was the conduct of those personages whose guest I was, and who are the acknowledged protectors and ornaments of our holy religion? They commanded and insisted upon 'Bishop Milner's sitting down;' Bishop Milner, who was standing to be accused for defending the discipline of their own Church, whilst they imposed no such obligation upon Mr. A., who was standing up and haranguing against it, and and who was thus publicly vilifying the solemn acts and deeds of his own bishop, no less than those of Bishop Milner. And whereas I thought it my duty to continue standing till Mr. A. should sit down, force was used by one gentleman near me to pull me down; and another gentleman, whom I had in my eye, repeatedly exclaimed, '*Turn him out!*' meaning me. The only words which I made use of during the whole of this scene, in addition to the protest repeated above, were addressed to B. Douglass's coadjutor in these or similar terms—'Dr. Poynter can in a moment appease this storm; let him stand up, and I will sit down; he has barely to declare whether or no he adheres to those *observanda* which he drew up with his own pen.' I do not call for your decision on the conduct of Dr. Poynter in the resolute silence which he was pleased to observe under these circumstances, nor do I ask for or desire the least apology in my own favour from Mr. A., or from any other person whatever. But I submit to the heads and representatives of the English Catholic body, whether or no a private priest having, in their presence and under their control, most indecently and irreligiously vilified and declared against the solemn acts and deeds of the vicars-apostolic in synod assembled, he ought now to be reprimanded and required to express his respect for and obedience to them."

Such is Dr. Milner's letter. The conduct it describes reflects, we need not say, the deepest disgrace on the Catholic aristocracy of England, who stimulated a priest to treat a venerable prelate with such sacrilegious contumely.

There was nothing in which the fatal influence of Lord

Whitworth on Irish affairs was more plainly perceptible than in the wranglings which, towards the close of 1813, marked and embittered the meetings of the Catholic Board. On the 8th December in that year, Dr. Dromgoole delivered a speech in the Catholic Board which was seized on with eager avidity by the enemies of the Catholics, and made the pretext for sweeping assertion, foul scurrility, and rancorous vituperation. "They call for securities," said the learned doctor, "but their object is influence—the subserviency and degradation of Ireland. They seek to render its great population, through the medium of the priesthood, submissive to all the purposes of the minister of the day; and no oath—nay, not ten thousand oaths will, without this, give that kind of security which they seek. Was there a man in Ireland, when the question of securities was first broached by Lord Grenville, that was not convinced, and did not see it was for other purposes than those pretended? If there be one who does not think so, let him look to the records of parliament—let him read the speech of Lord Grenville in the debate of 1805, and he will there find how his lordship, when the matter was hinted at, vaunted and laughed at the supposition of their necessity. Gentlemen who may hereafter speak upon this subject, will find their advantage in studying this speech. Lord Grenville afterwards raised the cry for securities. The cry for securities, or in other words the proposed thralldom of our Church, is a legacy left by Mr. Pitt to this unfortunate country. He considered the Union incomplete without it, and he would have carried it at the same time but that the consent of the Pope required time, and his favourite measure could not be postponed. Recollect that it was in that ill-omened year when Ireland lost her independence and political existence, that the Veto and salaries to our clergy were first proposed; and connect with that recollection the efforts that have been made, or are now making, to enslave or destroy our hierarchy. As the intention of effecting the Union transpired in the year 1795, from the published correspondence of Earl Fitzwilliam, so this intended accompaniment has been disclosed by the intemperance of Lord Redesdale, when he declared that the connection between the two countries could not be secure whilst the hierarchy was suffered to exist. This, then, is a favourite measure, long sought and well considered; and until you shut the door upon it, without the hope of its ever being opened, so long will you be the objects of deluded hopes and baffled expectations. Nothing will be granted that could go to diminish the price of

this much-desired possession. It is only when all hope of obtaining it is at an end, that the justice of your claims, your merits, and your sufferings will be taken into consideration."

The object of the able speech from which this is an extract, was to carry a resolution which met with great opposition. It was to the following effect: "Resolved—That, as Irishmen and Catholics, we never can nor will consent to any interference on the part of the crown in the appointment of our bishops, and that no settlement can be final or satisfactory which involves any innovation or alteration to be made by authority of parliament in the doctrine and discipline of the Catholic Church in Ireland."

It appears difficult in our day to suppose that any Catholic could oppose a resolution so reasonable; yet the resolution in question was vehemently opposed. The most remarkable circumstance connected with it was that it called up Richard Lalor Shiel, who made his first appearance on the political stage by coming forward and opposing it. "What is affected by the influence of the crown?" asked Shiel. "Freedom! Are we free? No. Therefore we are not affected by it. Protestants of the Established Church are affected by it; and I own I am not so solicitous about the liberty of Protestants when I am myself in bondage, nor will I consent to make a sacrifice of my own freedom, lest that of others should be impaired. I care not about the influence of the crown. (Strong symptoms of disapprobation were here manifested by the crowd—when Lord French interposed.) "My lord, you may permit these men to hiss; it does not wound me. I am not afraid of censure, for there is in the heart of every honest man a court of appeal from the tribunal of public opinion. I repeat it—the influence of the crowd has no connection with Emancipation. I would as soon lie under a despotism as under the penal code. Under a despotism we should, perhaps, obtain reward if we deserved it. There would be no parliament, indeed; but that would be of little importance, as we cannot now sit in it. I am astonished at this confusion of ideas. I am astonished that my friend, Mr. O'Connell, should sanction it. Is he too content to sacrifice his liberty to that of others? (O'Connell here exclaimed, "Yes!") Yes? Admirable philanthropy, but abominable patriotism! What, then, is the gentleman at last content that his children should be slaves? I return, my lord, to this resolution. It not only declares against the interference of the crown in the shape in which it has been hitherto proposed, but pronounces an eternal decree against all

future discussion. So comprehensive is the mind of the learned doctor that he not only denounces the past and the present, but extends his anathema to the future. He throws an insurmountable barrier before the powers of the human mind—he chains down the faculties; and thus, by precluding all discussion, denies us the advantages which might result from sober investigation, the change of circumstance, and the beneficial operation of time."

Dr. Dromgoole in this discussion made some remarks on Grattan, which called forth a burst of splendid rhetoric of Shiel: "Mr. Grattan is a Protestant," said Dr. Dromgoole; "and there are many worthy and conscientious men of that persuasion who naturally think that it would be rendering a most important service to Ireland to make all its inhabitants Protestants, and to put, because they do not see the mischief to which it would lead, your Church, as to its government and appointments, upon the same footing with the Church of England. There might be no departure in this from that political rectitude from which, I most steadfastly believe, Mr. Grattan never intentionally swerved. To his integrity, then, to the powers of his great and commanding talents, you may with safety and advantage entrust the advocacy of your civil rights; but you cannot confide your religious rights to his prejudices. No layman, no Protestant, but above all, no English parliament, as at present or whatever way constituted, ought to be allowed profanely to intermeddle in the administration of our Church. Will any gentleman after this tell me that the resolution I propose is unnecessary—that it is unnecessary to make a distinct and explicit avowal of our real sentiments, when we have every reason to expect that, unless we early protest against it, parliament will again undertake the task of remodelling our discipline and of forming a new constitution for the government of our Church? Recollect upon what light grounds and almost impalpable reasons the first proposition of the Veto was made to parliament, and you will at once perceive the necessity of leaving nothing that can be misunderstood or misconstrued in your proceedings. To what mischiefs and what vexations and disappointments did not this want of candour, or rather this neglect of coming to an explicit declaration, give rise during the last year. Were we not reduced to the afflicting spectacle of seeing our advocates joining with ministerialists in drawing up a bill ridiculously called a Relief Bill, that, under colour of the restoration of some portion of our rights, was loaded with pains and penalties bearing exclusively upon our body?

A bill so full of shameful exaction, so subversive of religion, and so injurious to general liberty, that our ancestors would have rejected it in the darkest night of the penal code, and which, I have a right to assert, if offered as articles of capitulation to those brave men who on the walls of Limerick made the last stand for Irish independence, would have been replied to in no other way than from the mouth of the cannon."

The allusion to Grattan was seized on eagerly by Sheil. "My lord, the learned doctor is not content with an attack upon our bishops," said Shiel, "but he is likewise driven to the necessity of insulting Henry Grattan. I am glad I have mentioned that name, for it awakes a train of exalted thought; and I am happy to have this opportunity of bestowing praise upon the man whose character has of late been vilified by obscure insinuations, for there was none so daring as openly to accuse him. Henry Grattan is a truly great man. When he entered into public life he found his country without trade and without legislature. He gave her commerce and independence. Ireland is the creation of his word. It has been said that he was bribed by his country. It was a sublime corruption. His country could not bribe him to do her an injury. He was too much her friend to be her flatterer. Other patriots have given up their lives—he did more; he sacrificed his reputation. Tell me, ye who have beheld him in those wonderful nights when he went forth to fight the battles of his country; ye who saw him writhe with the lightnings of his mind the cohorts of pension and of place; ye who stood by when he contended for Ireland to her last gasp—follow him in his illustrious career—behold him, like the heroes of the Iliad, still protecting her corpse from profanation, and obtaining for her an honourable sepulture in the emancipation of her sons; behold him still in arms for Ireland, and tell me will ye dare to reproach him? Will ye permit this resolution to be flung in his way? Will ye permit the learned doctor to dictate his duty to him? Is it from Dr. Dromgoole that Henry Grattan is to receive instructions? But it matters not; he is raised above your reach. The imputations which are cast upon the clouds which are exhaled from folly or credulity, and with which it is attempted to obscure the setting of his glory, instead of shrouding his splendour in their vapour and their mist, become empurpled with his light, and give effulgence to the sinking of the orb."

This speech was delivered with that rapidity of utterance and sharpness, not to say asperity of tone, which were cha-

racteristic of the speaker—his black eyes were glowing, his gesticulation was violent, and his whole frame in motion—it was rather a screech than a speech. But Shiel's reputation as an orator was established by this reply to Dr. Dromgoole. It was the first circumstance which gave a decided stamp to his political character. Shiel on this occasion identified himself with the Vetoists, who marked him thenceforward as their champion, and ably and eloquently did he sustain their cause; while the orthodox, or those who insisted on unqualified emancipation, regarded him with dread and alarm as their most dangerous antagonist. Though the majority of his hearers were decidedly adverse to his views, the beauty of his diction, the lucidity of his reasoning, his glowing, rich, and animated eloquence, combined with his youth, caused him to be listened to with admiration. Shiel identified himself with the aristocratic portion of the Catholics, and was perverted by their influence, and consequently opposed by all the influence and all the talents of O'Connell during the existence of the Catholic Board. Shiel had not been yet (1813) called to the bar. Devoted during the earlier portion of his life to poetry, he seemed at this time to have disengaged himself from the witching fetters of the mistress of his youth; but the muse, mindful of his former devotion, still hovered round him, scattering, with tasteful hand, her flowery treasures over his thoughts—bestowing on his eloquence those attractions that disguise sophistry, and give to false reasoning the beauty and often the aspect and influence of truth.

Dr. Dromgoole opposed Shiel with solid learning and logical ability. Armed with his seven-fold shield of theology, and the ponderous weapons of scholastic dialectics, he would have routed his accomplished and elegant adversary, had it not been for the following passage, which brought a perfect whirlwind of hostile vituperation about the ears of the doctor, that distressed, stunned, and annoyed him unspeakably. Alluding to the Protestant Establishment, he said: "She might see, indeed, the Catholic pastors driven from their flocks—she might see them subjected to obloquy, privation, and insult—she might see them transported as felons and suffering as murderers; but she would never see them so lost, so abandoned, as to take the oath which was proposed—an oath not to seek directly or indirectly the subversion of the Protestant Church. Why, this would be to abuse the divine command, which says, 'Go ye and teach all nations.' It would be to proscribe the writings and spiritual labours of a Bossuet, an Arnot, a Lingard, and a

Milner—to forego the defence of the Catholic Faith—for that vindicated—how can the separation from it be justified? Do not even the virtues and morality of a priesthood go indirectly to propagate the faith which they profess? Do they not operate more effectually than words? For what is more powerful than example? Was war then to be waged with the virtues? Were they, too, to be abjured? No; if the Church of England trembles for her safety, she must seek it elsewhere—we have no securities to give. That she stands in great need of securities who can doubt, when he sees divisions in her camp, and observes the determined war that is carried on against her—*muros pugnatur intra et extra*—that her articles of association are despised by those who pretend to be governed by them—that the Romans and men of strange faith are amongst those in command; whilst from without she is incessantly assailed by the thousand bands and associations of tribes who neither give nor take quarter? Why are not means taken to coerce? Why are *they* not bound over to keep the peace? Why are *they* not put upon their securities? Furious tribes, religious warriors, who neither take nor give quarter. To pass over others—observe the Methodists, a sort of Cossack infantry, religiously irregular, who, possessing themselves of the fields, and fighting from ruined houses and churchyards, are carrying on a desultory but destructive warfare against her. In the meantime the strong and republican phalanxes of Presbyterianism occupy an imposing position; and the columns of Catholicity, who challenge the possession of the ark, and unfurling the oriflamme, display its glorious motto, *en touto nika*. But the Established Church will stand—it will survive the storms with which it is assailed if it be built upon a rock; but if its foundation be on sand no human power can support it. In vain shall statesmen put their heads together—in vain shall parliaments, in mockery of omnipotence, declare that it is permanent—in vain shall the lazy churchmen cry from the sanctuary to the watchman on the tower that danger is at hand—it shall fall, for it is human and liable to force, to accident, and to decay—it shall fall, and nothing but the memory of the mischiefs it has created shall survive. Already the marks of approaching ruin are upon it; it has had its time upon the earth, a date nearly as long as any other novelty; and when the time arrives, shall Catholics be called by the sacred bond of an oath to uphold a system which they believe will be one day rejected by the whole earth? Can they be induced to swear that they would oppose even the present Protestants of England if ceas-

ing to be truants they thought fit to return to their ancient worship, and to have a Catholic king and a Catholic parliament?"

The most extraordinary hubbub agitated the whole Protestant community of Dublin when this speech of Dr. Dromgoole's was published. The press groaned with pamphlets and leading articles denunciatory of the learned doctor. He was represented by the enemies of Catholic rights as a furious fanatic, a malignant traitor governed by French views, and hoping for a Catholic successor to these kingdoms in the person of General Clarke, Duke of Feltre, and minister of war to Bonaparte. He was anxious to subvert the state, and overthrow the Protestant Church and Protestant state *vi et armis*.

These denunciations were not confined to Protestants. Catholics, such as Nicholas P. O'Gorman, denounced the speech of Dr. Dromgoole in, if possible, still more vehement terms. Speaking of this speech, O'Gorman used such expressions as, "The folly and guilt of this speech;" "Its extreme illiberality;" "It calumniates and misrepresents;" "It is both absurd and offensive;" "Containing base, bigoted, and uncharitable doctrines;" "That nothing can be more unchristianlike than such monstrous doctrines;" "Every man is called upon to disclaim those abhorred doctrines."

It was this sort of language which caused Dr. Dromgoole, in the bitterness of his heart, to assert in one of his many pamphlets, that "Catholics were found in the city who surpassed even fanatics and monopolists in the violence of their declamation. During the time that the outcry was at its height, they were to be heard above the loudest and most vehement. At the Exchange, Commercial Buildings, and other places of public resort, their anxiety to acquit themselves was ridiculously manifest. Nothing could be heard for a considerable time but their exclamations against the conduct of the Catholic who had dared to announce Catholic opinions. To listen to them, 'it was shocking—it was intolerable—it was shameful; it was everything that was base, bigoted, fanatic, and unchristianlike.'

"But have not these unfortunate Catholics," asks the learned doctor, "some circumstances of extenuation to plead? No doubt they have. Slavery impresses a character upon all her victims which distinguishes them as a peculiar class. In the West Indies, if the African lifts his hand against the white that smites or wounds him, the whole colony is thrown into a state of alarm; a sensation is created almost as great

as when the heavings of the ocean or the colour and motion of the clouds give notice of an approaching hurricane or earthquake. The whites for some time can think or speak of nothing else; their fears have taken the alarm; and every motion among the slaves is sufficient to excite their attention or increase their watchfulness. But as for the blacks, they seem to be thunderstruck at the profanation which their fellow-slave has committed. Trembling lest any participation of his guilt should be imputed to them, they resort to every means to remove suspicion, and far surpass their masters in expressions of abhorrence. Wherever they meet, in the streets or public markets, their eyes at the bare mention of the circumstance are turned up with horror; and they take care to record their opinion of its enormity. But they may easily perceive what little credit is given to these professions from the increased watch which is put upon them, and from the sullen eye and scowling look of their taskmaster.

“Has the culprit escaped? The blacks are seen in every direction in pursuit. Every swamp and jungle is examined, and when the unhappy wretch is detected half dead with terror, famine, or the noisome damp of his hiding-place, he is carried along by his exulting fellow-slaves, and triumphantly delivered to be tried by plantation law. White men are his judges, white men are empanelled on his jury: they have not indeed sworn beforehand that he is an idolater; but were you separately to ask their private opinion, they would all agree in saying that the negro has no soul. They would reduce him below the condition of a man, because they treat him as a beast. The negro code, however, has not as yet reduced their belief in this respect to an oath. Well, he is put on his trial; the mockery soon ends. In such a case any evidence is sufficient to convict a slave. Blacks are perhaps the witnesses against him; blacks the guards by whom he is surrounded; a black his jailor; and a black the executioner that cuts off the offending hand, or applies the scourge to his naked body, until the bleeding wretch dies perhaps in the midst of torture.”

As we have seen, Dr. Dromgoole first delivered a speech, which awaked in Dublin a tempest of fury that swept and raved through the city for several weeks. He then wrote in defence of his oration a pamphlet, from which we have taken the preceding extract relating to the West Indies. He asserted in his speech that Protestantism is a novelty—a proposition which he defended in his pamphlet, and thereby set the Protestants of the day delirious with rage. He likewise asserted

in his speech, that "under the name of Protestantism a thousand sects were nestling, whose spurious and dubious generation scarcely retains the shape or colour of Christianity." As an evidence of this assertion in his speech, he gave in his pamphlet a list of the whimsical and heterogeneous sects which had sprung from the Anabaptists: "The *Baculares*, who deemed it criminal to carry a sword, weapon, or any kind of arms except a cudgel or stick; and that it was unlawful to repel force by force. The *Clancularii*, so called because they concealed themselves and would not make known the principles of their faith; they went to no place of worship, but instructed their followers at home or in gardens; hence, they were called *fratres hortulani*. The *Sabbatarians*, who kept the Sabbath like the Jews, and despised the Sunday. The *Condormientes*, whose doctrine it was that men and women should dwell promiscuously together. The *Weepers* or *Howlers*, who maintained that no work could be acceptable to God unless accompanied by weeping, howling, and lamentations. The *Davidians*, the followers of David George of Amersfort, in Holland, who boasted that he was the second David and the true Messiah. The *Polygamists*, who asserted that a plurality of wives was lawful, and reduced their principles to practice. The *Demoniacs*, or *Diabolics*, a branch of the Evangelicals, who issued from Luther's school; they believed, with the Origenists, that the devils would be saved at the end of the world, and they invoked and adored the devil ten times a day." The preceding extracts from the writings and speeches of Dr. Dromgoole, serve to prove in the clearest manner that discordant views and conflicting opinions were rending the Catholic Board into shreds. They will also show the character of Dr. Dromgoole, his learning, talents, and staunch fidelity to principle. Well might Shiel exclaim, when replying to the speech we have already quoted—

"It is an undertaking of no small hazard to venture upon an encounter with the learned doctor. He is clothed with celestial panoply, and is carefully equipped with weapons from the armoury of heaven. Yet great as his advantages are, actuated by a sense of public duty, I stand up to meet this formidable gentleman, although I have but faint hope of success, and it may be but too aptly said,

"Infelix puer atque impar congressus Achilli."*

. . . . If reason be hunted down by the learned doctor, reason will turn back and defend herself. Why has he roused this

* "Unhappy boy! incapable of matching with Achilles."

disastrous subject from that sepulchre of oblivion where it had enjoyed repose? Why has he, in place of staunching the bleeding of the ulcered wound, why has he torn away its bandages, and, in the spirit of experimental adventure, probed it to the bottom? Why, instead of allowing the arrow to extricate itself, has he poisoned it with new resentments, barbed it with new jealousies, and driven it deeper into the heart? I shall begin by agreeing with the learned doctor, that nothing can be more absurd than to insist upon securities as a condition of our Emancipation. We have already afforded the best securities. The thousands of our countrymen who have perished in the cause of Britain; the battles of which Ireland has paid the bloody price, and of which England has won the renown. These are a magnificent evidence of our loyalty. We have endeavoured to appease the irritated genius of the British constitution with the libations of our blood—we have been true to them in our servitude. They ask us for a pledge that we shall be true to ourselves when we are free. . . . The learned doctor says that securities are but a pretext. Deprive them of it. Concession on our part will pluck out the roots of the antipathies of England. The English are a nation pampered with glory, and their pride must be flattered. The hinges upon which the gates of the constitution are suspended are encrusted with prejudice and bigotry, and concession must be employed to remove their rust before they are expanded to us. The constitution, like the castles of necromancers in romance, is guarded with phantoms and chimeras. That ideal monster, the Church and state, has been stationed as its sentinel, and those phantoms must be dispelled, and that monster must be discomfited before we can attain that seat of happiness and freedom. We are to investigate, not whether it is absurd of them to ask, but whether it is wise of us to refuse. . . I have compassion for the prejudices of all men, but especially of an Englishman. What is his education? He is nursed in a horror of Popery. He is taught to hate his neighbour before he is instructed in the love of God. When he advances from infancy to childhood, the hunger of his mind is fed with the barbarities of convents. His imagination is conducted down the caverns of inquisitions, and the feeble lamp of reason lowers and is extinguished in the mental mist and damp that spreads through the labyrinth of horrors. When he attains maturity he opens the page of English history, and finds it blackened with the fires of Popish persecution. Is it then wonderful, when his mind has been thus imbued with hatred, a Protestant should retain in after

life those antipathies and those fears which are infused into his infancy? Is it matter for stupefaction that he should look upon Popery with the vague and undefined apprehension with which a child looks upon the dark and dreads a spectre? He fears—he knows not what he fears—but still he fears. At this the doctor may, if he thinks proper, be surprised; but if he is, it is at human nature. He may lift up his hands and eyes to heaven, and ask God why he made man a creature so imperfect. It is not our office to inquire whether these fears are rational, but whether they are operative. I will make use of a familiar illustration. What would you think of a traveller who, if he were to meet a mountain in his journey, would sit down at its foot, and instead of endeavouring to ascend it, would enter upon a disquisition why nature had put it in his way? Do we not act thus? Securities are an obstacle in our progress to freedom, and in place of endeavouring to remove that obstacle, we indulge ourselves in invectives against them. And after all have we much right to complain of the prejudices of others? Have we none ourselves? My lord, we pursue precisely the same conduct as our opponents. They exclaim, ‘Emancipation without securities will ruin our religion.’ We cry out, ‘Emancipation with securities will ruin ours.’ ‘You have nothing to fear,’ cries Dr. Dromgoole. ‘*You* have nothing to fear,’ retorts the Protestant. ‘The Church is in danger,’ exclaims the parson. ‘The Church is in danger,’ re-echoes the priest. And how long is this melancholy re-crimination to continue? How long is our liberty to be procrastinated? To what period of futurity does the doctor defer his country’s happiness? Does he expect by the cogency of his reasoning, or the splendour of his eloquence, to defeat prejudice. Alas! prejudice is a deaf adder. ‘But,’ exclaims the doctor, ‘we shall obtain unqualified emancipation at last.’ At last? He who consents to be a slave one instant after he can be free ‘deserves to be a slave for ever.’”

The brilliant language of Shiel elicited the prolonged applause of his hearers. O’Connell alluded to this circumstance: “My lord, while the meeting is yet dazzled and warmed with the glowing and brilliant language of my young friend, I rashly offer myself to your consideration—I rashly interpose the cold dull jargon of the courts, the unanimated and rough dialect of the pleader; but the cause of freedom and my country will enable me to unravel the flimsy web of sophistry which is hid beneath the tinsel glare of meretricious ornament. He has told us that Catholics have nothing to do

with questions of freedom or the constitution—that their object should be to place themselves on a level with the Protestants, and he is indifferent whether this equality be obtained by pulling down the Protestant or elevating the Catholic. In direct terms he has preferred the dead level of despotism to our present situation of comparative inferiority. My lord, I object to those assertions, I protest against those principles of action. Many of the topics which have been urged by the eloquent gentleman do not bear on the present subject of debate. It is unnecessary to reply to them. To much more of his discourse it is needless to reply, because he did himself give the most powerful and the best answer to the arguments that might be used against the motion of Dr. Dromgoole. But it is incumbent on every friend to freedom and to the constitution, to confute the slavish doctrine we have just heard. I am ready to meet him on this topic plainly, directly, and unequivocally. The proposed resolution goes to declare that either as Irishmen or as Catholics we never will consent to allow to the crown, or the servants of the crown, any interference in the appointment of our bishops! I support this motion upon both grounds—first, as an Irishman, that this interference would be injurious to public liberty; secondly, as a Catholic, that it would be destructive of the Catholic religion. The manners of society—the state of the public press, fettered and in chains though it be—the decency and decorum of modern habits, the progress of the human mind, and many other causes, render the constitution secure from open and direct attack. Absolute power is not likely to be obtained, nor even sought after by direct force and plain violence. But who is there so blind as not to see the inroads that have been made upon our rights and liberties by the effect of corroding influence? Who is so sunk in apathy—who is so degraded in stupidity, as not to perceive how unconditional and unlimited the power is that may be obtained indirectly and by corruption? In truth, the only danger that menaces the constitution, the only chance of rendering that constitution a mere name, arises from the spread of influence and corruption, which, like a cancer on a fair face, disfigures and destroys the beautiful fabric of public freedom! He is no friend to liberty—he knows not how to appreciate freedom—he is fitted for slavery, who can behold unmoved the progress of this terrific disease in the state—influence! I support the present motion, because I dread and detest that influence, and should deem myself unworthy to seek for any liberty, could I consent to increase the

influence of the servants of the crown. The young gentleman has argued, that this influence is already so great that the appointment of our bishops would not add to the evil, and he has underrated much the value, even in a pecuniary point of view, of the office of Catholic bishops. Let the servants of the crown then be content with the patronage they have—it is sufficient for their purpose; and if this addition be but small, let them leave us this small independence, for this little is our all—and great it is in fact. The state is secure already of the allegiance of the Catholic bishop—he is bound to the state by his repeated and solemn oaths; but not content with this, the ministers want to have him become their political agent—they want to have him in the subservient management of electioneering politics: if they succeed in obtaining the power to appoint a Catholic bishop, they will without doubt take good care to stipulate with him for the selection of priests devoted to their patrons; and at the ensuing elections we shall see the courtly sheriff become insignificant—the castle bishop will canvass the diocese, the parish priest will ransack the different districts of the county, and you will have a Vereker or a Bagwell borne on the shoulders of a duped people, in the room of a Glentworth or a Matthew.

“I do, therefore, meet the eloquent young gentleman upon this ground first, and insist that we should be unworthy of emancipation should we adopt his doctrines. Emancipation! My lord, the word would cease to have its appropriate meaning—the thing would cease to have any value. By emancipation I mean a participation in the free constitution of this country—not a chance of sharing in the public plunder. By emancipation I understand a right as a freeman to constitutional liberty, not a participation in the servitude of slaves—not a share in the authority of a despot. Besides, I beg to bring your minds to the second motive for adopting this resolution—the injury your religion must sustain if the minister of the day appoint our prelates. The minister is and will continue a Protestant, as far as a minister of state may be said to have any religion. If he be sincere as a Protestant, his choice of a bishop will be governed by this sincerity, and he will appoint as Catholic bishop the man least likely to serve the Catholic religion—most likely to injure and degrade that religion. But suppose him insincere as a Protestant, there will be no doubt of his attachment to power as a statesman. As a statesman, then, who will he appoint as bishop? The man who can purchase the situation—perhaps for money—certainly

for service. And does any man imagine that the Catholic religion will prosper in Ireland if our prelates, instead of being what they are at present, shall become the servile tools of her administration. They would then lose all respect for themselves—all respectability in the eyes of others; they would be degraded to the station of excisemen and guagers; and the people, disgusted and dissatisfied, would be likely to join the first enthusiastic preacher of some new form of Methodism, that might conciliate their ancient prejudices and court their still living passions. The ministerial bishops of Ireland would become like the constitutional bishops of France—one of the means of uncatholicizing the land. I beg to remind the young gentleman of the description he himself has given of the English; he has told us they were sunk in prejudice, and overcome by groundless and irrecoverable antipathy to Irish Catholics. And if this be so, and much of his argument was founded on the assumption of this as a fact—if this be so, who in his senses would think of confiding to these English the government of the Catholic Church in Ireland, and the appointment of her bishops. He who would confide to England this sacred duty, demonstrates that she is unfit for it. Surely he cannot be prepared to sacrifice all religion and country for the name and shadow of a useless and degrading emancipation.

“I therefore call on this meeting, as they are Catholics, and value the religion which they have inherited and believe; as they are Irishmen, and idolize their native land and her liberties, to reject the splendid fascinations of my youthful friend, and to adopt the proposed motion. Let us show that we value freedom, and therefore deserve to be free! Let us prove that we respect the constitution, and therefore merit to partake of its blessings. Let us resist, not increase, an already overgrown influence, which may be so fatal to liberty, to justice, to happiness!

“But I go further; for my part, I hold my Protestant fellow-countrymen in no animosity—I view them with no jealousy. I wish—I sincerely wish to elevate, not to degrade them. They are Irishmen as I am, and I am anxious for their liberties; even should I not increase my own, I should be delighted to promote theirs. My desire is directly the reverse of that of Mr. Shiel; he prefers the equality of slavery to the having one class depressed and the other elevated. For my part, if I could not elevate the Catholic, I wish not to depress the Protestant. I would advance both if I could—I would depress neither; and if the Catholic be still a slave, it is some comfort

to my mind that the Irish Protestant has some share of freedom : and here I answer the question of my young friend. He asks am I content to be a slave that others may be free ? The question relates to myself personally ; I answer it at once. If I can procure freedom for my country, I am content with torture—death ; with what is worse than either—with slavery !

“He then asks, if I consent that my children should be slaves for the sake of my country ? I readily answer—no. For myself, I can submit to slavery, but not for them. It is, indeed, to confer the blessing of liberty on *the nestlings of my heart, my children*, that I struggle against obloquy, conspiracy, and calumny. I can sacrifice myself, but not them ; but it is my dearest duty so to educate them in the love of Ireland, that each for himself will be ready to make the sacrifice of his all for Ireland.

“Let me in my turn put a question or two to the eloquent young gentleman. Knows he not how delightful it must be to suffer for our country ? Does he not feel how sweet pain, and reproach, and death would be for Ireland ! Has he not a monitor within that tells him it requires no heroism to prefer his native land to self, and that the first transport of existence must be to contribute, by any sacrifice, to his country's liberties ? If he have any, why did he question me ? if he have not, let me assure him, admiration must give way to compassion, and I must pity even whilst I admire his poetic strains.

“I stop here for one moment, to protest against one sentence of the learned doctor, on which, I trust, I mistook him. He spoke of the thousand sects that nestle under the wing of Protestantism, and he spoke in terms that appeared to me to imply disrespect. For my part, I shall never in silence listen to any language trenching on the freedom of religious opinion, or implying disrespect to any man who follows the dictates of his own conscience ; if there be a thousand sects of Protestants, they have the same right to choose for themselves that the learned doctor has ; and it would little become him, struggling for freedom of conscience for himself, to reproach the effect of that liberty in others. Any man who worships the Deity in the form which his unbiassed conscience prescribes, is worthy of respect ; he may be in error, but his error can only deserve compassion, not reproach.”

[Dr. Dromgoole here interposed by disavowing any disrespect to any sect of Christians.]

“From this digression, my lord, I come back to the argu-

ments of the eloquent young gentleman, Mr. Shiel. . . . He intimates that he has at length found out the grand secret for obtaining Emancipation; and he insinuates that we have hitherto miscondacted the cause, and postponed freedom. I shall follow him upon both topics—first, his secret for obtaining Emancipation; and, secondly, his discovery of our mistakes in that pursuit. His secret to emancipate is thus disclosed: the English, he said, are prejudiced against us—vilely prejudiced; their prejudice is inveterate, and cannot by any means be cured; it must therefore be yielded to and gratified if you would be emancipated; but the only method of gratifying their proud prejudice is by sacrificing to it some share of the discipline at least, if not of the doctrine of the Catholic Church.

“My lord, nothing can be more clear or distinct than this reasoning; but I contend for it, that it is built on untrue premises; and even if it were true in all its terms, it should be rejected from higher considerations. But I deny the premises: admitting, however, that the English are ignorant—grossly ignorant of us, and therefore blindly prejudiced against us. I admit this fact, and the causes of that prejudice have been given by Mr. Shiel. The genius of misrepresentation has presided over their historians, from the splendid romance of the unbelieving Hume, to the stupid and malignant fictions of the credulous Musgrave. It is by misrepresentation that the English have become prejudiced; facts have been distorted and falsified; truth has been violated; individuals have been calumniated; tenets abhorrent from our judgment, our reason, and our religion have been imputed to us, and continue to be imputed to us.

“Hence this prejudice—hence this evil; and here also is the remedy to be found. It is by constant and unwearied application to the causes of disease. It is by explaining away misrepresentation; by vindicating the truth of history; by demonstrating the falsehood of calumnies; by the public rejection of the abominable tenets imputed to us, and the plain and manly exposition of our real and genuine opinions. It is not sufficient once, or twice, or ten, or fifty times to meet this enemy of falsehood, or vindicate our friend, truth. The English have become prejudiced by the force of repetition of calumny. We shall set them right by means of the repetition of the vindication.

“Will the gentleman contend, that falsehood and delusion are all-powerful—candour and truth vain and impotent? In the first encounter, they may be defeated by proud and over-

bearing and stupid prejudice, I admit ; but candour and truth have in them a reviving principle ; and returning again and again to the contest, they must ultimately prevail. I do therefore rely on the force of the truth—on the repetition of our vindication, as the means of overcoming English prejudice.

“He says you should sacrifice some of the discipline of your Church to this English Dagon. I deny that the idol is worthy of such a sacrifice. I deny that you could conciliate the monster by any sacrifice short of your entire religion—discipline, doctrine, and all. If you offer to prejudice this sacrifice, you by your actions, though perhaps not in words, admit the justice of the prejudice. When you offer to English prejudice part of the discipline of your Church, you admit, at least in the opinions of the prejudiced, the truth of their suspicions and their fear. But it is in the nature of suspicion and fear never to be satisfied ; and the first sacrifice will justify and stimulate them to demand more.

“You come before the legislature admitting the propriety of their taking away something from you ; and they, acting upon your admission, will be ready enough to take away all. You cannot bribe their prejudice with a share of your religion : it will not, it cannot—indeed, it ought not to be satisfied with the part you offer. But thus admitted by yourself into your camp, prejudice would not be consistent unless it insisted upon converting all your property into spoil, and rendering itself for ever secure by extinguishing for ever its enemy. Away, then, with this base and vile traffic—this bribing of a prejudice, which Mr. Shiel has so powerfully proved to be absurd. Away with this bartering with absurd prejudice—this traffic of so much of your religion for so much of their privileges—this exchange of certain lots of your discipline or doctrine for a specific quantity of emancipation. We never can succeed in this peddling and huxtering speculation. They are ready to take all and give none. We are entitled gratuitously to our freedom, or rather we have already purchased it by our allegiance, our treasure, and our young blood. We are entitled to it as a right. Reason, justice, and nature are at our side. Let us preserve our integrity and our honour, as well as our religion ; and be emancipated as our forefathers desired—as Catholics, or not at all.

“I now come to the discovery which my talented friend obscurely intimated that he has made—namely, that we agitators have retarded the progress of Emancipation.

“I have heard this charge made repeatedly out of this

Board; I have heard it said that by our violence, our intemperance, and what not, we have put back Emancipation for fifty years. Against these calumnies, too, I appeal to the fact: the fact furnishes me with an answer—a triumphant answer; I could scarcely desire any reply more complete, more decisive.

“The agitation of the Catholic question commenced in 1805, and nothing could be weaker or of less effect than our commencement. In 1807, the Grenville administration attempted to do something for us—they attempted to pass a law to enable Catholics to be officers in England as they are in Ireland. That was all they could attempt—but did they succeed? No; the attempt cost them their places; and Mr. Perceval, seated on the shoulders of the ‘no-popery’ mob, was borne into power in triumph; the ‘no-popery’ cry was raised, and all England was shook from the centre to the extremities. The war-whoop of religious bigotry resounded throughout the land, and in the pride and folly of its prejudices, it deemed the Catholic claims extinguished for ever.

“Well, what has followed? We continued our agitation—our *violence*, as it has been called—our *intemperance*. We passed our strong, our ‘*witchery*’ resolutions. We exposed the vices and the secret motives of the insolent and venal being who opposed our emancipation. I myself was in the habit of painting in their native colours the creatures who for pay insulted my native land—a practice which I have given up rather from lassitude and disgust than from any opinion of its being injurious to our cause. Amidst all this violence and intemperance, what was the consequence? Why, that in 1813, a bill was near to pass, intending and purporting to give us all. Our enemies themselves consented to give us everything except seats in parliament. They consented to give us situations and command in the army and navy, places at the bar and on the bench, corporate offices and dignities, places in the excise and customs—all, all except parliament; they consented to all. Mr. Abbott, our leading adversary, consented to everything except parliament.

“Now, place the two undoubted and indisputable facts together: in 1807, our friends could not procure for us even so much as the military rank in England; in 1813 our enemies offered us the station of sheriffs, mayors, admirals, generals, judges, and chancellors. Compare the two periods—contrast the two situations, and then let me see the man who will say that the Catholic cause has receded, or been driven back during

that period ! I demand of the candour of my young friend to admit that the Catholic cause has advanced during the last seven years of agitation. I do not ask of him the sacrifice of admitting that it has advanced by that agitation ; but it comforts my own mind and cheers my secret soul to see the natural effect result from the plain, manly, uncompromising course we have steered.

“I return one moment to English prejudice, so happily described by Mr. Shiel ; and I ask him whether this very alteration between the opinions of the English in 1807 and in 1813 does not prove to demonstration that prejudice is best met by reason and argument. During the last seven years we made no degrading sacrifice ; and yet the repetition of our arguments and the display of truth have advanced our cause. Let my young friend meditate on these facts before he again envelopes in poetry the cause of despotism and the triumph of prejudice.

“My lord, I have combated this eloquence advocating the influence of the crown—I have ventured to oppose it supporting the prejudices of England ; I will now briefly allude to another argument, or rather assertion of his. He says the present resolution implies a censure on our prelates ! What, my lord, can it, then, be censure to declare that we are so pleased and proud of our prelates, who have been appointed without any interference of the crown, that we never will consent to any such interference ? The Board censure the bishops ! The Board, my lord, has always expressed its respect, its veneration for the bishops. Our enemies, indeed, would be delighted if they could establish any division between the Board and the Catholic hierarchy. But no ; this is impossible. Instead of the present resolution implying censure, it directly and justly speaks praise and approbation. We approve and applaud—and it would be difficult, indeed, not to approve and applaud our prelates as they are. We seek no change—nor will we consent to any change that would be likely to place different men in high offices. The prelates too, I may venture to add, approve of the course pursued by the Board ; they see—they easily see that however anxious we are for freedom, we are still more anxious for the purity of our religion ; they know that though we are desirous not to remain slaves, we are determined to continue Catholics ; and that ardently as we love liberty, we will not purchase it at the price of schism.

“It is therefore impossible to separate the prelates from the Board, or the Board from the prelates. We interfere only

upon subjects belonging to our province. Any connexion between the crown and the Catholic hierarchy in Ireland must, of course, be of a political nature ; and against such we have a right to protest, and do protest ; but if the revered and venerable prelates of our Church, exercising their discretion as to that which belongs to them exclusively—the details of discipline—shall deem it right to establish a system of domestic nomination, purely and exclusively Irish—if, I repeat, our prelates deem it right to establish a system of domestic nomination—of a nomination purely and exclusively Irish—if our prelates deem it right, in their wisdom and piety, to establish any such arrangement, the Board, my lord, will not interfere with such arrangement, because it has no right whatsoever to interfere with it ; but it will certainly applaud and gratefully receive any such decision.

“Before I conclude, let me avow the pleasure I feel that my resolution on this subject was negatived—not because I think it was an improper resolution in the sense I meant it ; but because it was, I find, so capable of being misunderstood. I never complained of its being rejected—all I complained of was, that it was not understood. I attributed the fault to others—I now see it was my own ; for the sense which Mr. Shiel has put on that resolution convinces me that there was an ambiguity in it which alone merited condemnation. I do, therefore, myself condemn it as mischievous, because equivocal, and cheerfully submit myself to the censure that may follow the man who uses, on a delicate subject, ambiguous language.

“This great question is now fairly before the Board. We who support the resolution call for Emancipation without making our bishops the slaves or the instruments of the ministry ; and require our liberties, to which we are entitled as our birthright, without any sacrifice of the doctrine or discipline of our Church. We humbly petition parliament to assure us freedom—but we ask it as Catholics ; we respectfully require of them liberty—but we wish for it with perfect safety to our religion. We have given them the security of our allegiance—we have sealed our sincerity with our oaths and confirmed it in our blood ; all we require in return is the privilege of worshipping God as our forefathers worshipped him. We are ready to insure with our dearest interests the integrity of the state—all we ask in return is the integrity of our religion !

“Those who agree with me that we are entitled to Emancipation without compromise will support this resolution ; all

who agree with my eloquent friend that our Emancipation should be purchased by some undefined concessions of doctrine, or at least of discipline, to absurd prejudice—for so he proved it; all those who think they can bargain with absurd prejudice upon the capital of their faith, will reject the present resolution with Mr. Shiel.

“He has, indeed, been unfortunate in the side he selected; he has not been lucky in his allusion. It was not the Catholic barons of the reign of John that crouched beneath Papal usurpation. It was a profligate, faithless, unprincipled prince who used the Pope's then authority to enable him to enslave a Catholic people.

“I am of the faith of the Catholic barons who with their swords extorted the great charter of liberty; I am of the religion of the Catholic parliament that passed the statute of provisors—firm in my attachment to her ancient faith, ardent in the pursuit of liberty. Let my young friend join this standard, and soon shall he become a leader. To the superiority of his talent we shall easily, cheerfully yield, and give him that station in his country's cause to which his high genius entitles him. Let him devote himself to the uncompromising advocacy of Ireland—glory will await him, and the sweeter satisfaction of serving his country. Let him reject party and adopt Ireland, who, in her widowhood, wants him; and in her service let his motto be, ‘God, and our native land!’”

Every historian knows that the most famous nations in the world have been plunged into irretrievable ruin by their own military auxiliaries. The golden sceptre has been wrenched from the trembling hands of affrighted kings, by the armed power and iron strength of their imperious hirelings. The men they paid to guard them from danger have proved their most formidable enemies; and on the brow of some military chief the glittering crown has been placed in triumph, which was torn from the down-fallen monarch whom the military strangers had promised to defend. Thus, the Mahometan Toorkemans, called into the empire for the protection of the throne, overwhelmed the Guebre monarchy of Persia with slavery and ruin. Thus, too, a Tartar dynasty was placed on the Chinese throne by those mercenary soldiers of the desert who entered as armed servants, and ended by becoming imperious rulers. In like manner, the ancient inhabitants of Britain, a respectable remnant of whom still linger in the Welsh mountains, were subjected to degradation and massacre by the brutal Saxons, whom they invited from Germany to protect them from the Gaels. This has

happened a thousand times, and will again repeatedly happen. It is impossible for men who feel themselves superior in the field of battle, to remain contentedly inferior in the avocations of peace. Men invested with the dignity of danger will not remain quiescent under indignities of civil life. Thus, the moment the valour of Ireland, in 1790, was poured through the ranks of England—the moment Great Britain (absorbed in the busy pursuits of lucrative commerce) confided her defence to the military virtue of Irish Catholics, she could not cow with the scourge those who never quailed before the sword. A race whom nature endows with the greatest of all national virtues—military courage—can never be made permanently slaves. The Irish have been indebted as much to the valour of their soldiers as the eloquence of their tribunes for the relaxation of their shackles.

In the year 1813, and indeed during the entire French war, the British army swarmed with Irish troops. Of this fact we have many evidences. "Two-thirds of the army," says Sir Edward Litton Bulwer, "were Irish." Sir John Cox Hipplesey, in 1810, stated in parliament that among 2,000 soldiers who came under his own inspection, only 160 were Protestants. The 87th regiment, it was likewise stated, which had fought so gallantly in Monte Video, was composed altogether of Catholics. In a regiment quartered in the south of England, and consisting of 900 men, there were, in 1813, only 40 Protestants; 860 were Irish Catholics. Dr. MacNevin states, in his "Pieces of Irish History," that in 1807 the proportion of Irish soldiers in the British army was "about one-half." The cause of the preponderance is involved in Tone's assertion, that "the army of England is supported by the misery of Ireland." Tone's view is corroborated by the opinion of the Duke of Richmond, who humanely observed in Dublin, when the distress of the Irish artizans was laid before him, "A high-priced loaf and low wages are excellent recruiting sergeants for his majesty's service." It was the observation of Napoleon, that "privations, poverty, and hardship form the best school of the good soldier." "It is not enough for soldiers," said General Cockburn, "to fight; they must occasionally march and starve—and the army that excels in these three points will, if adequately commanded, ultimately succeed." The superiority of the Irish in these three qualifications originates in the care and pains which the aristocracy have taken to extinguish manufactures in Ireland, and in that insecurity of tenure which renders it impossible for Irishmen to carry on profitably

the only manufacture left them—the manufacture of food. As Irish eloquence, were we adequately represented in parliament, would rule the House of Commons, so, it is highly possible that Irish valour, were the career open to valour in the army, would govern in the camp, and thus sway and govern the British Isles.

Among the brave Irishmen who served in the ranks of British war during 1813, a respectable place should be assigned to a near kinsman of the Agitator's, named John O'Connell. He was a lieutenant in the 43rd regiment. The affection which the Agitator felt for this brave and promising youth was not limited to empty words. He assisted, to a considerable amount, in defraying the expense which attends the outfit of a military officer, when John O'Connell was joining his regiment. The cordial esteem with which the Agitator regarded the young adventurer of honour was warmly reciprocated by its object. The soldier in Spain idolized the lawyer in Ireland.

The war into which Napoleon plunged the Spaniards was really a war with England. To humble her, to abase her, to destroy her, became the passion of his existence. Napoleon's life, subsequently to the peace of Amiens, consisted of two enterprizes. The first was, his effort to invade England in flat-bottomed boats. Until the battle of Trafalgar, which swept his navy from the surface of the sea, all Napoleon's thoughts were devoted to the invasion of England. To land an overwhelming mass of troops on the English coast was the exclusive object of Napoleon's mind. The moment his fleet was destroyed at Trafalgar, he substituted the blockade for the invasion. Unable to destroy England on her own soil, he determined to destroy her commerce in every continental country. The events of Napoleon's life may thus be reduced to two groups—those which cluster round the invasion, and those which are connected with the blockade. The first group ended with Trafalgar, the second terminated with Waterloo. His war with Spain was really a war with England—his war with Russia was likewise a war with England, whose manufactures he hoped to exclude from the Russian empire. Had Spain, Russia, and the Papal States shut their doors in the face of English trade, Napoleon would never have attacked them. He would give himself up to a laborious and fruitful peace. The most remarkable circumstance in Napoleon's military history is, his wonderful success in Germany, and his astonishing failure in Spain. The moment the Prussian government was overturned at the battle of Jena, the people of that country

became slaves to the conqueror. In Germany, the French had only to subdue the governments and armies ; in the Spanish peninsula the government and the army were already annihilated. Napoleon invaded Portugal and Spain—put to flight, or threw into prison the sovereigns of those two countries, and swept away or dispersed their aristocratic armies. But the Spanish people were not yet vanquished. Their Church, the parent of civil liberty, inspired them with heroic fortitude, indomitable courage, and impassioned patriotism, of which the Germans, trampled down in a moment under the hoof of the conqueror, proved themselves utterly incapable. It was the inveterate and passionate resistance of the Spaniards which first obstructed and finally overturned the imperial chariot of Napoleon. He himself, in St. Helena, lamented the invasion of Spain as the true source of all his subsequent calamities. In that war, every Spaniard regarded the public cause as his own private quarrel, and the French had almost as many individuals to fight as the Spanish peninsula contained inhabitants.

To assist these people in their rebellion an English army, consisting almost exclusively of Irish Catholics, was transported to Spain. The Cortes invested Wellington with the command of the Spanish armies, who thus saw himself immediately at the head of 45,000 English, 30,000 Spaniards, and perhaps 16,000 Portuguese.

Amongst the startling events of the terrible struggle which ensued and amazed the world, the most interesting to O'Connell's mind was the siege of Badajos, in which his gallant young kinsman, leading a forlorn hope, was severely wounded. O'Connell received a letter from his relative which excited his indignation. He sympathised with the burning indignation of his relative, who, in common with his fellow-countrymen serving in Spain, felt himself grossly insulted by the offensive language of an English general officer. It appears that previously to the capture of Badajos, the brave soldiers of Ireland under the command of Lord Wellington had been contemptuously termed *Irish rebels* by General Picton. This was not long concealed from the army. The insult was whispered from battalion to battalion—it flew through the ranks. Nevertheless our countrymen were silent—they never breathed a reproach ; like brave and honourable soldiers, they marched, fought, and fell as before. Badajos was to be stormed. Who so fitted for the service as the soldiers of Ireland ? They rushed forward with all the passionate valour

which has ever distinguished the Celts—they stormed the breach ; they suffered severely, but, *like themselves*, they were victorious. Then arrived their hour of triumph. Masters of the fortress and the gallant enemy prostrate at their mercy, they hailed the general who insulted them with, “Well, general, aint the *Irish rebels* the boys that can top the walls ? Where would you be now, general, if you had not the *Irish rebels* ? Will you abuse the *Irish rebels* again, general ?” The general appeared absolutely petrified ; the blow was unexpected, and he retired from the scene as soon as his duty would permit.

The sieges during this murderous struggle exhibit the most astonishing daring on the part of the Irish, and the most culpable ignorance on the part of their English officers. The former were lions—the latter, asses. The simplest principles of military science were unknown to the drunken and dissolute officers, ignorant as savages of the theory of attack, and utterly unable to instruct their men in its practical operations. At St. Sebastian they halted their men at the foot of the breach—kept them there inactive under the murderous fire of the enemy, while they endeavoured with artillery to enlarge the breach by firing cannon-balls over the heads of their own men—an expedient so utterly barbarous that the benighted Turks would be ashamed of it. The only system of siege which these stupid and inexperienced scions of the aristocracy practised, had been entirely abandoned a hundred years previously by all civilized nations. It was the absurd plan of making a breach from a distance and hazarding all on the valour of the rank and file. Ignorant that Vauban had—a century before—perfected a covert mode of attack, which rendered easy to the steady advances of a few brave men the reduction of places capable of defying for ever the open violence of multitudes, the English commanders, who had never heard of Vauban, persisted in flinging away the lives of the Irish before the walls of St. Sebastian with the reckless indifference of untutored barbarians. To this military ignorance the life of John O’Connell was sacrificed. The whole O’Connell family were overwhelmed with unavailing regret by the fall of this youth. The *Evening Post* of 25th September, 1813, says : “If our countrymen distinguished themselves conspicuously on this occasion, the relatives of the fallen heroes must feel heartrending grief for the irreparable losses sustained in their domestic circle. In no instance perhaps will this adversity be more poignantly felt than in the family

of Lieutenant John O'Connell of the 43rd regiment—a near relative of the counsellor of that name—a brave and promising youth, whose talents as a soldier would indubitably, one day or other, reflect honour on his country, when those disabilities under which the greater part of his majesty's Irish subjects labour should have been removed. He volunteered on the forlorn hope at the ever memorable siege of Badajos, where he was severely wounded; and at the attack on St. Sebastian he sought a post of danger, where he gloriously fell in the arms of victory."

During the whole of the last century the princes of Germany carried on a slave-trade in dragoons and grenadiers. During the first American war, the English aristocracy—the richest in Europe—went purse in hand into the German shambles, and paid for armed slaves a hundred pounds a man. These men were mown down in such numbers—or as the English expressed it, "the consumption of the article was so great"—that the cost became enormous. The English merchants and manufacturers were naturally dissatisfied with this profligate waste of public money, and they pointed to Ireland and gruffly asked "why the armed slaves of Hesse should be imported into England, when a better article at a lower figure might be obtained in any quantity in Connaught and Munster." The ranks of the British army were thrown open to Irish Catholics in consequence of these remonstrances. The relaxation of the penal laws and the foundation of Maynooth caused the Irish to throw the military strength of their race wholly and heartily into the ranks of the British army, and the glory of England reached a height, and her conquests an extension, that have astonished the whole world and embraced a wide segment of the globe. These military services—the most brilliant and important that any nation ever rendered to another—were received with the blackest ingratitude, and excited hatred, jealousy, and apprehension. A mercantile race ardently and naturally abhors a military race, and fears lest the soldier, who begins by serving, may end by commanding. The savage earnestness with which Cobbett denounced the German officers in England originated in this deep-seated apprehension in the British people. They felt that if the career were thrown open to talent, and promotion by purchase abolished, the military Irish might master England by the sword, as unquestionably such men as O'Connell, if numerous in the House of Commons, might master parliament by their eloquence. Remembering the many nations that in former times were subjugated

by their military auxiliaries, the English trampled on the Irish and excluded them from an equality of privilege—not only through aversion, but fear—from policy as well as from abhorrence. There are people whom it is dangerous to serve, and the English appear to be among the number. “Ireland,” said Grattan, “has contributed to England, exclusive of her cattle, her provisions, her men, sixty-five millions of money : she is the hundred-handed giant, and holding out in every hand a benefit.” The millions of Irish Catholics who on the battle-fields of Britain lost their lives, since the relaxation of the penal laws, can never be reckoned—they exceed all calculation. But the blood of the soldier afforded a powerful argument to the tribune, of which he did not fail to avail himself when pleading for the political enfranchisement of his fellow-countrymen.

The great impediment to the concession of Catholic rights in 1813 was the viceroy, Viscount Whitworth, who conjured up hostility in every conceivable form to obstruct and cripple the progress of the Catholics. Under his administration the newspapers most opposed to Emancipation received £10,500 a-year. Now among whom was this sum divided ? It was apportioned among five individuals—the proprietors of the *Gazette*, *Dublin Journal*, *Hibernian Journal*, *Patriot*, and *Correspondent*. It would average, among the five, £2,100 to each. Not content with this, writers were engaged to write pamphlets, which issued from the press

“Thick as autumnal leaves that strew the brooks
In Vallambrosa.”

Among the pamphlets on the subject of the Veto which excited O'Connell's animadversions in 1813, perhaps the most remarkable—certainly the most eloquent—was one entitled, “A Letter to the Roman Catholics of Ireland, by Thomas Moore,” the national poet of Ireland. Nothing is more likely to exalt our conception of O'Connell's talents than the varied array of brilliant ability which the aristocracy mustered and brought into the field to vanquish his arguments and overthrow his designs. Among the many whom they rallied round the unhallowed standard of vetoism, we may safely reckon as the most brilliant, and by no means the least formidable, Thomas Moore. The aristocracy are indebted in a great degree for the permanence of their ill-gotten power to their enlistment of such brilliant talents in furtherance of their selfish and often culpable purposes. That O'Connell tri-

umphed over such opposition proves at once the justice of his cause and the pre-eminence of his abilities. Moore opens his "letter" by an indirect attack upon O'Connell in these words: "Those orators and authors who live but by flattering your prejudices, having found that you look but to one point of the compass for your arguments, have set in from that quarter with a regular trade-wind of declamation, which neither your bishops, your friends, nor common sense have been able to withstand."

Moore's object in writing this pamphlet is to show, that the cession to the Protestant crown of a veto in the appointment of Catholic bishops could not injure the Church—it was a trifle not worth quarrelling about. "This is the measure," says Moore, "which the wrong-headed politicians amongst you, in contempt of their spiritual guides, have branded as impious, deadly, and apostatical; this is the condition of your liberties for his luminous enforcement of which Lord Grenville is now grossly and ungratefully calumniated, as a sophisticator of your cause and a conspirator against your religion; and this is the pledge to whose pretended inexpediency the bigoted and the factious would not hesitate to sacrifice the freedom of Ireland and the harmony of the whole empire—more wicked in their folly than that people of antiquity who set a fly upon an altar and sacrificed an ox to it. . . . It must be confessed—continues Moore—that the disposition which the laity have shown in encroaching upon the province of their clergy in this question, and presuming to know their duties much better than themselves, is in common life but too frequently the characteristic of our countrymen, who would, most of them, much rather let their own affairs run to ruin than incur the least suspicion of being ignorant of those of their neighbours. To this disinterested activity, this supererogating spirit (so worthy of an *insula sanctorum* like ours), we are indebted, I doubt not, for much of that solicitude your laity insist upon feeling for the honour and safety of the hierarchy.'

Moore's argument would only go to show that O'Connell and Scully—for they are evidently the "wrong-headed politicians" he alludes to—were better Catholics than the venerable hierarchy of the Irish Church—a compliment which they would be the very first to repudiate. "The Catholics of England," adds the poet, "seem to feel upon the subject as they ought; and by the readiness which they have shown to exchange the rescripts and bulls of Rome for the blessings of a free constitution, they prove themselves worthy descendants

of those founders of British liberty who, with all their reverence for the spiritual authority of the Pope, thought freedom too delicate a treasure to be exposed unnecessarily to his influence, and accordingly sheltered it round with provisoes and premunires, like that fenced-in pillar at Delphi which not even priests might touch."

The fact is, the influence of the British peerage—"the families of sacrilege"—with whom Moore associated, had operated with a most pernicious effect on his young and plastic mind, as they did at an earlier period on the yet unsophisticated minds of Montesquieu and Voltaire. They perverted his better feelings—warped his young intelligence. As a consequence he is not ashamed to say: "The first point which naturally comes under consideration, in a subject where the interests of religion are concerned, is the conduct of your bishops; and here, at the outset, we meet with that insurmountable fact (which your lay theologians would so willingly throw into the shade), that in the year 1799 four metropolitans and six prelates professed themselves willing, as the price of Catholic Emancipation, to concede to the government a control upon the appointment of your bishops, and signed a formal document to that effect."

But we may ask, what was the state of Ireland at that time? Moore forgets to tell us that two years previously the inhuman aristocracy thought fit to place arms in the hands of 37,000 yeomanry, who admitted no Catholics into their ranks, and were suffered to assume the Orange ribbon—the insolent badge of Protestant ascendancy. "The cruelties perpetrated by these men," says Massey, in his History of George III., "both before the rebellion, and while it was raging, and after it was suppressed, differed only in degree from the worst enormities of the French revolution." Under the authority to search for concealed arms, any person whom any ruffian calling himself a Protestant and loyalist, and either with or without military uniform, chose to suspect or pretend to suspect, was liable to be seized, tortured, and put to death. Hundreds of unoffending people, who were guilty of no other offence than professing the creed of their fathers, or of letting fall a word of discontent, were flogged until they were insensible or made to stand upon a pointed stake. These were the most ordinary punishments. Sometimes the wretched victim was half hanged, or the scalp was torn from the head by a pitched cap. Catholics and reputed malcontents of the better class were subject to still worse treatment. Militia and yeomanry, as well as the

regular troops, were billeted on them at free quarters, and this billet appears to have been invariably construed as an unlimited license for robbery, devastation, ravishment, and, in case of resistance, murder. It was boasted by officers of rank that within certain large districts no home had been left undefiled; and upon its being remarked that the sex must have been very compliant, the reply was that the bayonet removed all squeamishness. In short, it was when the suspension of the Habeas Corpus Act had outlawed the whole people of Ireland—when no man was sure of his life, no woman of her honour—that the government succeeded in extorting from the fears and terrors of the trembling bishops, affrighted by the appalling horrors of carnage and execution, that control over the appointment of bishops which Moore is not ashamed to employ as an argument in pleading for the Veto.

Every Catholic is aware that in the reign of Elizabeth hundreds of priests were martyred in England, in a manner worthy of central Africa. The modification of the law under which they suffered had a profound interest for O'Connell, and in 1813 the law in question was modified. It was the horrible law of high treason, to which thousands of Irish patriots had been subjected under the savage governments of the Tudors and the Stuarts—the most barbarous and brutal, perhaps, which ever disgraced human history. The criminal was dragged or steeled along the ground from the gaol to the gibbet, on a woven texture of wythes termed “a hurdle,” drawn by horses, which jolted him in a painful and humiliating manner over the rough highway. Having reached the place of execution, he was hanged in the ordinary manner by the neck, and then cut down before consciousness was extinguished by strangulation. The ghastly and trembling victim was then placed in a chair; his entrails were cut out and flung into a raging fire, where they hissed and flamed before his eyes. The executioner then stretched him on the scaffold, cut off his head, and hewed his body into four quarters. The tenacity of life sometimes exhibited by the victims of this savage punishment appalled and horrified the spectators. Thus Harrison, one of the regicides of 1649, stood up after his entrails were cut out, and struck his executioner a box on the ear. The law had not accorded to the judges the power of remitting this barbarous sentence, as was evinced in the curious case of Captain Holcott, who in 1683 was convicted of being concerned in the Rye House plot. In this case the judges, in the usual manner, had ordered the prisoner to be

hanged, opened, and embowelled; but they had omitted the words, *ipso vivente*—"he being alive"—and the result was that the judgment was set aside upon an appeal to the House of Lords. In the course of the proceedings it was argued that the legal sentence could never be carried out, as life must be extinct before the bowels could be extracted. To this it was answered that the extraction of the entrails was the severe part of the punishment, and should not be omitted for that very reason. To say that such an operation could not be performed while the sufferer was still living, was to arraign the knowledge and wisdom of the judges and royal councils in all previous reigns. The House of Lords finally decided that the omitted words were an essential part of the judgment, without which the sentence had no legal validity whatever—a circumstance which shows that their lordships considered it perfectly possible to inflict this species of torture on the living victim. The abolition of this brutal and revolting torture in 1813 afforded O'Connell unspeakable gratification. As a Catholic sympathising with the missionary priests whose blood deluged the scaffolds in the reign of Elizabeth, and as an Irish patriot sympathising with the countless victims of English oppression, the martyrs of Irish nationality, O'Connell was highly gratified to see this barbarous law wiped from the British statute-book.

In 1813, the activity of the Bible societies was at its height. Yet, even at that time there were many liberal Protestants who asked whether it was not an extravagant thing to take for granted, that the hundreds to whom the Bible was given could read and use it, and whether it was a fitting gift, in the way of charity, to so large a number as were supposed to need such a charity. The objections became stronger when the foreign department of the business was brought forward, and it appeared that Protestants were throwing the Scriptures into the laps of heathen nations, with no appreciable chance of making them Christians, and a certainty of shockingly desecrating Christianity if they did not. There is no need to go into details of the absurd mistakes made on the most solemn subjects, in the eagerness of Protestants to put their sacred books before the minds of nations occupied with sacred books of their own; nor of the bad effects at home of making the most peculiar, difficult, and vast of all books a sort of waste commodity among a multitude who were compelled to receive it without knowing how to use it. Coleridge's remark on the subject is well known. Seeing how the Bible was regarded as

a talisman among a whole people in all conditions of mind, Coleridge observed that his countrymen had quitted idolatry, but had fallen into bibliolatry. Amidst all the Bible society zeal of 1813, we find writers calm enough to object to any spiritual objects being adopted as one of the "rages" which are always succeeding one another in every metropolis. In this instance the rage spread from London all over the country. By the end of the year there was scarcely a town or a village in England which had not an auxiliary Bible society; and in all the principal towns annual meetings were held for some years after this time, at which the most popular religious orators appeared—making a sort of festival for the religious world of each district.

At this time a sect was rising up—already considerable in numbers—which proved that mere Bible-reading does not give religious enlightenment to the otherwise ignorant. An aged woman was, in 1813, attending a chapel in St. George's Fields, London, which was always crowded with people eager to see her. Johanna Southcote was regarded as a prophetess, and she now, when on the very confines of life, declared herself pregnant with the true Messiah. She was, in fact, diseased in body, and ignorant (though full of texts) and superstitious enough to be able to deceive herself as much as others. It was a sore mystery, she said with bitter tears to the disciples round her dying bed, when telling them that her mission now seemed all a delusion—it was a sore mystery that she, who had been reading the Bible all her life, should have had such a heavy burden as this laid upon her. In the summer of 1814 there were some thousands of persons—above 500 in Birmingham alone—looking for the appearance of the Messiah; and the more their suspense was protracted, the stronger grew their faith. At the close of the year the wretched woman died, but her followers had no idea of giving up. "The arm of the Lord was not shortened that he could not save." He would yet raise her up and give her the promised son. The case would hardly be worth more than a passing allusion, but for the fact that the faith and the sect are not extinct yet—at a distance of fifty years. There are still followers of Johanna Southcote meeting for worship in a town here and there. The people she beguiled were by no means ignorant or poor. The gorgeous cradle in which the Messiah was to be rocked was given by a lady of fortune. The silver cup and salver, with the globe and the dove, were presented by persons in easy circumstances; and a London physician sat as a believer by

the bedside of the prophetess. While the fanatical dupes of Johanna Southcote were patiently expecting the miraculous parturition which had been so long postponed, the Kildare-street Society, founded in 1811, was flourishing and ramifying in Ireland. The Pharisees of Dublin had posted themselves in a most Saducean neighbourhood, for their meetings were held beside the most fashionable gaming-house in Ireland; and Kildare-street at that time had the renown of bringing the extremes of morals into close conjunction. The Kildare-street Society received, by parliamentary grant, an annual sum of £6,000 for the education of the poor; and by a prodigious stretch of benevolence, a hundred guineas was added by private subscription among the elect. In the allocation of the fund, the Society established rules which were entirely at variance with the ends for which the grant had been originally made. They required that the Bible should be read in every school to which assistance was given. With this condition the Roman Catholic clergy (and the chief among the Protestant hierarchy concurred in their opinion) refused to comply. The indiscriminate perusal of the Scriptures, unaccompanied by any comment illustrative of the sense in which they had been for eighteen centuries understood by the faithful, seems inconsistent with the principles on which the Church is founded. The divines of Kildare-street, however, were not dismayed. They undertook the difficult task of convincing this impracticable priesthood that they understood the tenets and spirit of their religion much better than any doctor of Maynooth. Consequent acrimony arose among the parties; and the result was, that the few channels of education which existed in the country were denied all supply from a source which had been thus arbitrarily shut up. It was lamentable that in the enforcement of these fanatical enactments so much petty vindictiveness should be displayed. The assemblies held in Kildare-street with the ostensible view of advancing the progress of intelligence among the lower classes, exhibited many of the qualities of sectarian virulence in their most ludicrous shape. A few individuals who presumed to dissent from the august authorities who presided at these meetings, occasionally ventured to enter their public protest, both against the right and propriety of imposing a virtually impracticable condition upon the allocation of the parliamentary fund. It was in vain, however, that a few liberal Protestants implored the Society to abandon their proselytising speculations. O'Connell, who, "like a French falcon, flew at everything," came panting from the courts, and gave them a

speech straight. The effect produced upon this peculiar audience—compounded of materials so different from those the orator was accustomed to address—was not a little singular. Quite certain that O'Connell would make a *razzia* into their assembly, the saints for some days previously took cautious and long-headed measures to encounter, and if possible retrude the inroad of this Goliath of the enemy. O'Connell, the moment he entered—heated and perspiring, as he was—cast a keen glance over the meeting, and analysed its component materials in that glance. In the back ground he could discern a strong phalanx of the ragged and ferocious votaries of Cooper, a celebrated preacher of that day. This division of the army of the saints was recruited from the lower classes of Protestants, whose religion it would not be easy to give any more definite description of, than that they regarded the Plunket-street orator as on a very close footing with the Divinity, and entertained shrewd doubts whether Mr. Cooper was not the prophet Enoch. Adjoining to this detachment of Cooperites—a black-looking and formidable band, which served as the rear-guard or reserve, to be called into action only when danger was imminent and the emergency extreme—O'Connell could descry the evangelicals of York-street drawn up in formidable array and sober garniture. Next came a chosen band of Quakers and Quakeresses; and lastly, the serried array of the “saints,” more properly so called, with the learned Sergeant Lefroy and a staff of oily-tongued barristers at their head. The latter were judiciously dispersed among the pretty enthusiasts who occupied the front benches. They usually spent their leisure in whispering compliments in the ear of some soft-eyed votary who bore the seal of grace upon her smooth and ivory brow. The “saints” had made considerable way among the softer sex in Dublin at this period; the cold worship of the Establishment was readily abandoned for the more impassioned adoration which corrects the tameness and frigidity of the constituted creed. Accordingly the Kildare-street meetings were attended by some of the prettiest women in Dublin; and it should be said, in justice to those tender devotees, that they appeared there with peculiar interest. There was a studied modesty in their attire that excited the imagination which it was purposed to repress.

In the scene thus strangely compounded, it was curious to see the Catholic Agitator engaged in a struggle with the stormy passions and bitter antipathies of his hearers. The tact and skill which he exhibited merited profound attention. The

moment he rose an obscure murmur, or rather growl, was heard in the more distant part of the room. The discourteous sound proceeded from the Cooperites, who found it difficult to restrain themselves from any stronger expression of abhorrence towards the comely scion of St. Omer's. The politer portion of the audience usually interfered, and the learned Serjeant Lefroy entreated that Mr. O'Connell should be heard. O'Connell proceeded, and professed as strong and unaffected a veneration for the holy writings as any of them could entertain. But at the same time he besought leave to insinuate that the Bible was not only the repository of divine truths, but the record of human depravity; and that, as a narrative, it comprehends examples of atrocity with the details of which it is injudicious that youth and innocence should become familiar. Were crimes which rebel against nature the fit theme of domestic contemplation, and were not facts set forth in the Old Testament from the very knowledge of which every father should desire to secure his child? If he were desperate enough to open the holy writings in that very assembly, and to read aloud the examples of guilt which they commemorate, the face of every woman would turn to scarlet, and the hand of every man would be lifted up in wrath; and were the pages which revealed the darkest depths of depravity fitted for the speculations of boyhood and the virgin's meditations? Would not the question be asked, "What does all this mean?" And was it right that such a question should be put to which such an answer might be given? The field of conjecture ought not to be opened to those whose innocence and whose ignorance were so closely allied. Sacred as the tree of knowledge might appear, and although it grew beside that of life, its fruits were full of bitterness and death. O'Connell subsequently insisted that the Scriptures should not be forced into circulation, and that a bounty should not be put upon their dispersion among the shoeless, hoseless, and hatless peasantry of Ireland, who needed work and food rather than theology. Were they capable of comprehending the dark and mysterious intimations of St. Paul, or St. John's revelations? Would not the Apocalypse bother the learned serjeant himself; and had not his poor countrymen enough to endure, and were they not sufficiently disposed to quarrel without the additional incentive of polemics? Was it in a ditch school that his learned friend the serjeant considered that the mysteries of the Trinity and the Incarnation, and not more embarrassing sacrament, should be discussed? Kindling as he advanced, the great demagogue

threw himself into other topics, and charged his pious hearers with a violation of their duty to the public in their arbitrary imposition of conditions against which every Catholic exclaimed. He disputed their right to exercise compulsion founded on their own fantasies in the execution of a solemn trust, and at last roundly asserted that "proselytism must be their object." A mighty uproar arose at these words. The holy rabble in the distance sent up a tremendous shout; their Bibles were brandished, their eyes gleamed with more deadly fire, and their faces became, if possible, more grim and yellow; a thrill of indignation ran through the whole assembly. The spirit was moved in the breasts of the pious Quakers, who trembled with holy emotion; and even the ladies allowed the fierce infection to make its way into their gentle and forbearing bosoms. An universal sibilation was heard. Mouths of Madonna sweetness were suddenly distorted. A hiss issued from lips of roses, and intimated the poison that lurked beneath. The admirers of King William could have no mercy on a man who in his seditious moods was so provoking as to tell the world that their idol was "a Dutch adventurer." Accordingly, when they caught him at this Protestant meeting, in the midst of true blues, they hissed him with all their hearts. "Dan" was in "the lion's den," and the lions, and lionesses too, roared vociferously and raised a prodigious clamour. O'Connell struggled hard and long, but at length was fairly shouted down.

In the midst of this stormy confusion Serjeant Lefroy made his appearance, and the moment his tall and slender person was presented to their notice, a deep and reverential silence pervaded the meeting. In the eyes of his Protestant friends a halo of piety was diffused about the serjeant. Yet his cheeks, so far from being worn out by the vigils of his profession or dusked with the evaporations of the midnight lamp, were bright, shining, and vermillioned. There was a gloss of sanctity upon them which happily contrasted with the care-coloured visages of the ungodly. A serious contentedness was observed in his aspect, which indicated a mind on the best footing with heaven and itself. There was an evangelical neatness in his attire. His neckcloth was closely tied, and knotted with a simple precision. His suit of sables, in the formality of its outline, bore attestation to the stitches of some inspired tailor who alternately cut out a religion and a coat; his hose were of grey silk; his shoes were burnished with a mysterious polish, black as the lustre of his favourite Tertullian. The

moment he rose the previous tumult was followed by breathless attention. The ladies resumed their suavity and looked angelical again, while, heedless of their perilous admiration, their champion demonstrated the propriety of teaching the alphabet from the prophecies and turning the Apocalypse into a primer. He pointed out the manifold advantages of familiarizing the youthful mind with the history of the Jews. The applauses of his auditors and his own heated convictions inflamed him into emotions which bore a semblance to eloquence, and raised his language beyond its ordinary tone. The universal diffusion of Christian truth filled him with enthusiasm. He shuffled off for a moment the coil of his forensic habitudes. He beheld the downfall of Popery in the opening dimness of time. Every chapel was touched by his harlequin fancy into a conventicle. The mass-bells were cracked, and the pots of lustral water were shattered. The Jews were converted, and all Monmouth-street illuminated—its tattered robes being turned into mantles of glory. The Temple was rebuilt upon the exact model of the Four Courts. The harlot of Babylon was stripped stark naked, and the cardinals handed over to Sir Harcourt Lees. At length the vision became too radiant for endurance. A third heaven opened upon him, and he sank exhausted with his enjoyments and perspiring with ecstasy amidst the transports of his admirers, to whom he imparted a rapture almost equal to his own.

Meantime O'Connell had renewed his vigour and arose once more, "like a giant refreshed with wine," and, in spite of the hostility and clamours of his hearers, made himself heard. The gross misconception which was formed by the Jews of the character of the expected Messiah, he said, was a strong fact demonstrating that a whole nation may fail in discovering the sense of the sacred writings, even on a subject of paramount interest. The authority of the apostles themselves could not hinder some of the early Christians from "wresting the Scriptures to their own destruction." The first centuries of the Christian era presented to human view the endless contentions of rival sects, professing to derive their respective opinions from the sources of Holy Writ. These controversies were maintained until Papal Rome produced conformity of sentiment. But after the trumpet of the Reformation sounded in the ears of Europe, the mind, recovering its powers, dared once more to think and reason. John of Leyden, laying down his thimble and taking up his Bible, surprised the city

of Munster at the head of a rabble of frantic enthusiasts, proclaimed himself King of Zion, and ran naked through the streets, vociferating that "whatever was highest on earth should be brought low, and whatever was lowest should be exalted." To keep his word, he made the common executioner his minister of state, and the minister of state his common executioner. Improving on the example of the patriarchs, he "took unto himself" fourteen wives at once, affirming that "polygamy was Christian liberty and the privilege of the saints." It would be highly desirable that the peasantry of Ireland understood and respected the laws of their country more than they do at present, yet no society had started up with the avowed object of dispersing among them cheap editions of Blackstone or Coke "without note or comment." Why? Because these books would not be read, or read to some useless or pernicious purpose. This applied with infinitely greater force to the Bible. Labour was the lot of man; it was the price we paid for every temporal good—for those objects necessary for the comfort and well-being of our bodies, and for our most valuable intellectual acquisitions. And why should it be presumed that the knowledge of things divine must be of easy attainment? The obscurity of the Bible answered many good purposes, affording, as it did, the noblest exercise of our improved reason.

Thus O'Connell proceeded for some time, but his irritated audience becoming more and more tumultuous, he was finally shouted down. In this uproar, the oily-tongued lawyers whom we have already alluded to were observed to be the loudest. They hated O'Connell with the professional intensity which has given existence to a proverb. His intolerable success in a profession where many a staunch Protestant was condemned to starve, and his fashionable house in Merrion-square; and a greater eye-sore still, his dashing revolutionary equipage—green carriage, green liveries, and termagant popish steeds, prancing over a Protestant pavement to the terror of Protestant passengers—a nuisance that in the good old times would have been put down by act of parliament; these and other provocations of equal publicity, exposed the learned culprit to the deep and irrevocable detestation of briefless Protestant barristers and other classes of his majesty's *hating* subjects in Ireland. It was impossible for an audience so *pious* to tolerate so successful a Catholic as O'Connell, accustomed as they were to read the astounding imputations upon his character and motives with which the loyal press of Dublin

at that time teemed. As a dish for the periodical libellers of the day, O'Connell was inexhaustible—from the crazy churchman foaming over the apprehended fall of tithes, down to the political striplings of the college, who instead of trying their youthful genius upon the cardinal virtues or “the lawfulness of killing Cæsar,” devoted their hours of classic leisure to the more difficult task of proving for the comfort of the Orange lodges, that “Counsellor O'Connell carries on a treasonable correspondence with Captain Rock.”

Ancient mythology informs us that the Furies were females, and it must be confessed that in bitter intensity of hate, some of the fair “saints” present at this meeting might vie with the Furies. Their antipathy to O'Connell was, if possible, more intense than that of the briefless methodistical barristers. Religion, however, which did not infuse charity into their sentiments, had certainly made a great change in their dress. Their costume was for the most part elaborately ascetic. Both in form and colour they seemed determined not to risk their eternal salvation for the sake of worldly flounces and trimmings, and looked upon flame-coloured silk as a type of never ending combustion. A sister of the attorney-general was conspicuous amongst these female reformers. She was a very remarkable personage. Miss Saurin had during ten years continued in her thirtieth year! She possessed a good deal of the attorney-general's talent. One of her plans for carrying out her holy objects was worthy of that distinguished lawyer. The moment the potatoe crop was expected to fail in a particular district, this pious lady laid in a supply of the most nutritious tracts; and keeping a steady eye upon the progress of the visitation, seized the happy moment of confirmed inanition, and poured in the mental aliment on the sickly and half-dying population. This method of conversion did not always succeed according to its merits, for Irish “Popery,” more indomitable than the shaggy king of the forest, refuses to be subjugated, even by an empty stomach. But Miss Saurin did not repine at the failure. She felt—to use her own expression—“a noble consciousness of having done her duty.” Since her ministry commenced, about five years previously, she had brought over two lame beggarmen of Stillorgan, to eat meat on Fridays. And subsequently a most interesting orphan girl, only six years old, had been so moved by her arguments and her gingerbread, that she consented to become a good child, and renounce the errors of Popery, upon the sole condition of being comfortably provided for in a Protestant charity school.

The ordinary conversation of Miss Saurin was "tea-and-tractish," that is to say, she talked of new conversions and the failings of her neighbours. She was permanent vice-president of the "Stillorgan London Hibernian Female Branch Auxiliary Tract-Distribution Society;" but always positively denied that she either proposed or seconded their famous fourth supplementary resolution—"That to prevent misrepresentation, all the important objects of the society were in future to be carried into effect by a committee to consist of twelve gentlemen and as many ladies, with liberty to increase their numbers." Miss Saurin positively denied that this celebrated resolution had met her concurrence or was carried by her influence.

The office of attorney-general, which in 1813 was filled by the brother of this pious lady, is perhaps the most powerful in Ireland. It is attended with great patronage, emolument, and authority. The attorney-general appoints the judges of the land, and nominates to those multitudinous places by which the aristocracy have succeeded in subduing the naturally democratic tendencies of the bar. Every measure in any way connected with the administration of justice originates with him. In England the attorney-general is consulted upon the law; in Ireland he is the law itself. He not only approves, but he directs. The personal character of Mr. Saurin gave him additional sway. He gained a great individual ascendancy over the mind of the Lord Chancellor. In the Castle cabinet he was at one time almost supreme, and his authority was the more readily submitted to, as it was exercised without being displayed. The Catholic Board had assumed a proud attitude of defiance. The *Evening Post* was in the legal sense of the word a tissue of libels, for it was envenomed with unquestionable truth. The orators became more and more vehement on the one hand, and Mr. Saurin more and more enraged on the other. It was in this state of things that a diplomatic viceroy was selected by the ruling oligarchy, who looked smilingly on while aggravating the elements of discord, and causing the Catholics to rend one another. The character of Saurin was plainly disclosed in the collision between the Board and the aristocracy. Wedded, as Saurin was to public order, he should have borne the aspersions of the popular anger with a more philosophic temper. Unhappily for himself, he was infected with a shrewish spirit, and took to scolding.

We have already seen how John Magee was prosecuted by the Duke of Richmond, and defended by Daniel O'Connell.

We have now to see the same patriot once more dragged into a law-court at the suit of the same malicious and profligate nobleman, and once more defended by the same eloquent, fearless, and honest champion. On the 27th November, John Magee was brought from the gaol of Kilmainham, to receive the judgment of the king's bench. His alleged offence was—not the libel itself, but the publication of the trial relating to that libel, that is to say, O'Connell's speech. In the course of this legal farce—this mockery of justice, the melancholy truth was convincingly established, that of all forms of tyranny, the basest, the cruellest, the most hypocritical, and cowardly is an aristocracy. To their eyes, accustomed to the foul resorts of midnight pleasure—the curtained chambers of debauchery, the startling glare which was flung upon their conduct by the dazzling effulgence of O'Connell's eloquence, was insufferably painful; it filled them with horror and distracted them with apprehension—as in Milton's poem, the radiance of the sun harrows Lucifer with agony, envy, and evil passion. In this trial, we shall see equally at work the deadly malignity of the venomous Saurin, and the serpent-like craft of the diplomatic Whitworth—the one striking a poisoned blow at O'Connell through the sides of Magee—the other converting the friends into foes, and making the client hostile to the advocate. The entire proceeding merits the close attention of the inquiring reader. It is one of the most curious episodes in Irish history. The reader will perceive that O'Connell's defence of Magee—which was really a terrible arraignment of the ruling cabal, Richmond, Peel, and Saurin—rendered them delirious with rage. “It will surprise such of your lordships as were not present at the trial,” screamed Saurin, “to find what was the mode of defence adopted by the criminal—which defence he has since, as the editor of a newspaper, published in that newspaper, and has accompanied it with another publication, declaring that such defence was perfectly according to his wishes and agreeable to his instructions, and therefore as to him, it is to be considered as his own; and it will be for your lordships to say how far such conduct be or be not an aggravation of his crime, or be or be not a foundation for some ulterior proceedings on the part of the court. My lords, the first and most extraordinary mode of defence he has thought fit to adopt, is a wanton, malignant, and unexampled attack on the character of the public officer of the crown, who in the discharge of his duty came into your lordship's court to carry on the prosecution; in which attack the political, the professional, the official and

personal character of that officer, are vilified and abused in language as unexampled as was the situation of the person to whom the language was applied. Can it for a moment be supposed that it is the right or the privilege of a criminal who is brought to trial on an indictment, to waive his own defence, and to turn the indictment into an arraignment and an accusation and attack upon the character of his prosecutor, and that prosecutor the public officer of the law whose duty it was to prosecute his crime? Is it possible to maintain that the court and the jury are to be occupied with the discussion of the political, professional, and personal character of the officer of the government who is bound to prosecute the delinquent? If that were to be the law of the land, the law of the land must give to the officer an opportunity of entering into his defence, and recriminating upon the counsel who might be employed for the prisoner; and where would a trial end? What would be the issue to decide on? what the duty which the court or jury would have to discharge, if this were to have the sanction of the law? If this be not the privilege of the criminal who is put on his trial, by the same reasoning it cannot be the privilege of his counsel; for the privileges of counsel are nothing but the rights and privileges of their clients. Let me put the strongest case that can be imagined—let us suppose that the criminal should be able to find in the counsel an accomplice in his crime. Surely it could not be contended that the counsel of that criminal could derive any privilege from his own criminality. He cannot have any privilege which the criminal would not have if he were defending himself. Let me put it in another way. Suppose, my lords, the criminal in this case had sent to any other counsel than the counsel who conducted his trial, and gave him instructions, not merely to waive his defence, but, under colour of a defence, to institute a wanton attack—a malignant assault upon the public officer of the crown. Suppose his instructions to his counsel to be that he was very indignant and full of resentment at the conduct of the public officer, and that he called upon his counsel to recriminate upon his character, personal and professional—what would be the answer of the barrister in that hall? ‘Sir, you, as the criminal in the case, may feel that malice and resentment towards your prosecutor which is incident to low and vulgar minds, who always entertain rancour and hostility against the person who is to prosecute and the court and jury by which they are to be tried. But my duty is, if I can, to procure your acquittal; which if I shall not be able to accom-

plish, it becomes then my duty to mitigate your sentence, to extenuate your offence, and as far as possible lighten the weight of your punishment. But I cannot lend myself to you as an instrument of your vengeance. The character of the attorney-general is not in issue upon the trial. If I were to assail his character it would only disserve you, and be degrading and discreditable to me as a professional man.' This, I conceive, would be the answer of such a counsel; and yet your lordships see in this scandalous libel the wicked, malignant, and unexampled attack made on the public officer of the law. . . . Had it been scattered in the assemblies of the rabble or at the meetings of sedition, I would have passed it by with the same indifference and contempt with which I have treated the slanders which have flowed from the same source; but when I find those seditious proceedings profane the public sanctuary of justice, I owe it, not as a duty to myself, but to the office which I hold, and to my successors to whom this office may be intrusted, to guard the situation from such outrage and insult. My lords, without travelling through the whole of this malignant and abusive libel, I cannot but call your attention to one particular passage, because the flagrance of its slander peculiarly calls for the indignation of the court. The words are: 'Upon the Catholic subject I commence with one assertion of the attorney-general's, which I trust I misunderstood. He talked, as I collected him, of the Catholics having imbibed sentiments of a seditious, treasonable, and revolutionary nature. He seemed to me most distinctly to charge us with sedition and treason. There is no relying on his words for his meaning—I know there is not. On a former occasion I took down a repetition of this charge full seventeen times on my brief: and yet afterwards it turned out that he never intended to make such a charge—that he forgot he ever used those words, and he disclaimed the idea that they naturally convey. It is clear, therefore, that upon this subject he knows not what he says, and that these phrases are the mere flowers of his rhetoric, but quite innocent of any meaning.' My lords, I should not attend to any of the gross misrepresentations which are contained in that libel; but I should pay an ill compliment to the loyal and respectable Catholics of the country, if I did not give them the credit of discerning and distinguishing who it is that libels their character and their motives—whether it is I, who prosecute public criminals, or the man who identifies himself with those public delinquents. But the libel proceeds: 'Upon this account I pass him by—

I go beyond him, and content myself with proclaiming these charges, whosoever may make them, to be false and base calumnies. It is impossible to refute such charges in the language of dignity or temper; but if any man dares to charge the Catholic body or the Catholic Board, or any of the individuals of that Board, with sedition or treason, I do here, I shall always, in this court, in the city, in the field, brand him as an infamous and profligate liar. Pardon the phrase, but there is no other suitable to the occasion; but he is a profligate liar who so asserts, because he must know that the whole tenor of our conduct confutes the assertion.' My lords, I ask, what does all this mean? How comes this blustering and bravadoing in a court of justice? If it is intended to intimidate me in the discharge of my duty, the impotence and folly of the attempt is no justification of its illegality; for I do say such an outrage on public decency has not occurred in the memory of man."

Mr. O'Connell—"I am sure, my lords, that every gentleman present will sympathise in the emotions I now experience. I am sure no gentleman can avoid feeling the deepest interest in a situation in which it is extremely difficult to check the strongest resentment, but quite impossible to give that resentment utterance in the severity of language suited to its cause and provocation. Yet even here do I yield in nothing to the attorney-general. I deny in the strongest terms his unfounded and absurd claim to superiority. I am his equal at least in birth—his equal in fortune—his equal certainly in education; and as to talent, I should not add that—but there is little vanity in claiming equality. And thus meeting him on the firm footing of undoubted equality, I do rejoice, my lords—I do most sincerely rejoice—that the attorney-general has prudently treasured up his resentment since July last, and ventured to address me in this court in the unhandsome language he has used, because my profound respect for this temple of the law enables me here to overcome the infirmity of my nature, and to listen with patience to an attack which, had it been made elsewhere, would have met merited *chastisement*."

Justice Daly—"Eh! What is that you say?"

Justice Osborne, with much apparent emotion—"I at once declare I will not sit here to listen to such a speech as I have seen reported. Take care of what you say, sir."

Mr. O'Connell—"My lord, what I say is, that I am delighted at the prudence of the attorney-general in having made that foul assault upon me here, and not elsewhere; be-

cause my profound respect for the bench overcomes now those feelings which, elsewhere, would lead me to do what I should regret—to break the peace in chastising him.”

Justice Daly—“*Chastising* the attorney-general! If a criminal information were applied for on that word, we should be bound to grant it.”

Mr. O'Connell—“I meant, my lords, that elsewhere thus assailed, I should be carried away by my feelings to do that which I should regret—to go beyond the law—to inflict corporal punishment for that offence which I am here ready, out of consideration for the court, to pardon.”

Justice Osborne—“I will take the opinion of the court whether you shall not be committed.”

Chief Justice—“If you pursue that line of language, we must call upon some other of the counsel at the same side to proceed.”

Justice Day—“Now, Mr. O'Connell, do you not perceive that while you talk of suppressing those feelings, you are actually indulging them? The attorney-general could not mean you offence in the line of argument he pursued to enhance the punishment, in every way, of your client. It is unnecessary for you to throw off or to repel aspersions that are not made.”

Mr. O'Connell—“My lord, I thank *you*—I sincerely thank you. It relieves my mind from a load of imputation when I hear such high authority as that of your lordship kindly declaring that it did not apply to me. And yet, my lord, what did the attorney-general mean when he called a question a senseless and shameless question? What did he mean when he—he, my lord—talked of low and vulgar mind? What did he mean when he imputed to the advocate, participation in the crime of the client? This he distinctly charged me with. All I require from the court is the same liberty to reply with which the attorney-general has been indulged in attack. All I ask is to be suffered to answer and repel the calumnies with which I have been assailed.”

Justice Daly—“You shall have the same liberty that he had; but the court did not understand him to have made any personal attack upon you.”

Justice Osborne—“We did not understand that the attorney-general meant you, when he talked of a participator in the crime of your client.”

Attorney-general—“I did not, my lords. I certainly did not mean the gentleman. To state that I did would be to misrepresent my meaning, which had nothing to do with him.”

Mr. O'Connell—"Well, my lords, be it so. I rejoice, however, that this charge is thus publicly disavowed—and disavowed in the presence of those who heard his words originally, and who have heard me repel any attack made upon me. I rejoice to find that your lordships have interposed your opinion that no personal attack has been made upon me, and thus have rendered unnecessary any further comment on what had flowed from the attorney-general. I am, therefore, enabled at once to go into the discussion of the merits of my client's case. And now let me first solemnly and seriously protest against the manner in which the attorney-general seeks to aggravate the punishment. It is by introducing into the affidavit of the attorney for the prosecution, passages from the speech of counsel at the trial. These, perhaps, are times in which it may be desired by him, as it certainly is safe for him, to make bad precedents. But against this precedent I enter my earnest, my honest, my independent protest. My protest may for the present be disregarded; but it will accompany the precedent in future times, and if not destroy, perhaps mitigate its evil effects. I therefore do protest against it on behalf of the bar and on behalf of the public. What! is the Bar of Ireland to be thus degraded, that it shall be permitted to the inferior branches of the profession, to every attorney in the hall, to drag into affidavits the names of counsel, and their discourses for their clients? If it be permitted against a defendant in a criminal case, it must be equally, or rather more liberally, allowed to civil suits. There will in future be no motion for a new trial without introducing the name of counsel and his exertions for his client, and perhaps his politics—perchance his religion! Against this practice, now for the first time attempted to be introduced—against this first but mighty stride to lessen the dignity of an honourable profession—I proclaim my distinct, unequivocal, and solemn dissent. But the privileges of the bar, however interesting to a numerous and respectable class of men, sink into insignificance when contrasted with the rights of the public. The public have a right to the free, unbiassed, and unintimidated exertions of the profession. If the bar be controlled—if the bar be subjugated—if the profane hand of the attorney-general may drag the barrister from the high station of responsibility in which he is at present placed, and call for censure on the client for the conduct of the barrister, then indeed will it be quite safe for power to oppress and to plunder the inhabitants of the land; in vain shall the subject look for a manly advocate, if he is to be exposed to

the insolent mockery of a trial of himself in the shape of an attack upon his client. In short, the public are deeply interested in our independence—their properties, their lives, their honours, are entrusted to us; and if we, in whom such a guardianship is confided, be degraded—how can we afford protection to others? Lessened in our own esteem, habituated to insult, we shall dwindle in talent as in character; and if the talent may remain, it will be simply useless to the oppressed, greatly serviceable to the oppressor. For the public, therefore, who may easily be enslaved if the bar be debased, I again enter my solemn protest against this bad precedent. For myself, I have scarce a word to say; talents I do not possess, but I will never yield the freedom of thought and of language—I never will barter or abandon the independence of the profession. It may injure me—I know it will injure me, and I care not; but as long as I belong to the Irish bar, I will be found open, decided, manly, independent. Unawed by the threats or frowns of power, holding in sovereign contempt the vile solicitations of venality, and determined to do my duty in despite of every risk, personal and public—the enemy of every oppression and fraud—the unalterable friend to freedom. I have a fault—I know it well—in the eyes of the attorney-general. The spirit that invented the inquisition exists in human nature; that there was an inquisition proves the existence in nature of an inquisitorial spirit. Nature is not calumniated when she is charged with all the atrocity of bigotry in design and action; and towards me that design has an object that is easily understood. To check the Popish advocate may, in the eyes of the attorney-general, be a work equally pious and prudent; but the proudest feelings of contempt may defeat his intention and place me above the reach of malevolence. From myself and from this strange precedent, I come to the case of my client. It is my duty to show your lordships that the matters stated for aggravation ought not to affect my client. It would be unjust—it would be cruel—it would be atrocious to punish him by reason of the controversy into which I have been driven; that, I am sure, the court ought not, and therefore will not do. Neither can you punish him for publishing his trial. It is admitted that his report is a true report of the trial; the truth of the report is not even controverted; and having this fact admitted—that he has given a true report—the law is clear; it is clear no indictment or information, nor any criminal process can be maintained against a person who publishes a true report of our proceedings in our

courts—nor does any civil action lie for such report. It is laid down in 2 Hawk, 354, that nothing is a libel, or can become the subject matter of a criminal prosecution as such which occurs in the course of proceeding in a court of justice; and the case of *Astley v. Young* in 2 Burr, has settled that no civil action will lie for anything that so occurs. There is but one case in the books where a contrary doctrine was held, and that case is just one of those bad precedents which, though triumphantly established at the time, are soon rendered obsolete and unavailing by the abhorrence of every rational man. It is the case of the *King v. Williams* in 2 Show. It was an indictment against Sir William Williams for having published, by order of the House of Commons, "*Dangerfield's Narrative of the Meal Tub Plot.*" Such was the horror which the wise people of England entertained of the Pope in his proper person, that some conspiracy to re-establish his authority had been discovered close concealed in a meal-tub, and the House of Commons, catching and propagating the delusion, ordered the narrative of this terrific plot to be printed and circulated throughout the country. It was for this publication that Sir William Williams, the speaker of the Commons, was indicted in the first year of King James. If your lordships take the trouble of looking into the report, you will find that the counsel for the defendant, Mr. Pollexfen—a man who deserves the admiration of posterity, for he, at that despotic period, had the courage to attempt to stem the torrent of unrelenting persecution at the bar, and overbearing and iniquitous intolerance of the bench—he, the counsel for the defendant, was interrupted by the bench, and not suffered to defend his client as his case merited to be defended. I admit that the case of Sir William Williams determined that the high court of parliament itself had no right to sanction the publication of any part of its proceedings which contained matter in itself libellous. But fortunately the authority of that case has been completely exploded, even by the modern court of king's bench in the time of Lord Kenyon, in the case of the *King v. T. Wright*, in 8 Term Reports, 293. That was an application on behalf of the late Mr. Horne Tooke. Mr. Tooke, in 1794, had been acquitted of high treason, and yet in 1799 the House of Commons adopted the report of a committee and ordered it to be printed, stating in substance, that although Mr. Tooke had been acquitted, yet that the evidence adduced at his trial showed him to be guilty. The order of the House, however, was, that the report should be printed for the use of the mem-

bers. Wright, the defendant, printed it for public circulation, and he therefore had no protection from the order of the House but the general protection which every man has to publish the written documents laid before that House. For this publication, grossly reflecting on Mr. Tooke, and accusing him of a crime of which a jury of his country acquitted him, he applied to the king's bench for a criminal information, relying on the case of the *King v. Williams*, as only not in point because much stronger. The court refused the information, and *declared the case of the King and Williams not to be law!* Judge Grose upon that occasion said these words: 'The case of Williams occurred in the worst of times, and is a disgrace to a court of justice;' and Judge Laurence declared 'that no information could be granted for publishing a true statement of the proceedings in a court of justice, although it may in itself contain a libel and no matter of law; for,' said he, 'it is of vast importance to the public that the proceedings of a court of justice should be universally known. The general advantage to the country in having those proceedings made public, more than counterbalances the inconvenience to individuals.' Such is the law—such is the doctrine laid down by a court which could not be reproached with any overweening propensity to popular rights or popular opinions. Nor is this case shaken or its authority weakened by the case before Lord Ellenborough, reported in 7th East, 493, under the fictitious names of *Nokes v. Styles*; on the contrary, the principle is distinctly recognized and admitted, and that case was decided as an exception, by being beyond the principle, and not a true report of judicial proceedings. I do, therefore, lay it down as clear law, that no indictment, or information, or action, could be sustained for publishing this report of the trial—which report the attorney-general seeks to convert into an aggravation of punishment, that is, of course, an increase of punishment—that is, a double punishment; punishment for the original libel, for which the defendant has been found guilty, and punishment for this report, of which not only has the defendant not been found guilty, but for which he could not legally be put on any trial. It is no offence in point of law, yet the defendant is to be punished in point of fact for it.—In point of law the attorney-general could not prosecute him for this publication. If he indicted him, I would demur to the indictment—and still for this report, upon which he could obtain no conviction or judgment, does he call on the court to inflict a sentence. No jury could convict the defendant of this

publication ; but the attorney-general requires a vote of the court to be substituted for the verdict of a jury, and sentence to be pronounced upon that vote when no verdict could sustain a judgment. It is abhorrent to law and detestable to common sense that a man should suffer twice for one crime ; but this is a case in which it is sought that Mr. Magee should suffer twice—once for what is in law a crime, and once for what is not a crime in law or in fact—that is, he is to be punished in the second instance, although the law admits his innocence. It is not that detestable thing—double punishment for one offence ; it is this greater atrocity that is sought for by the attorney-general—a punishment for no offence. This court is bound by every principle and every feeling to resist the solicitation of the attorney-general, and not to punish a man for that which the law has sanctioned. But suppose I am wrong, and that this report is in itself a libel—then let the attorney-general indict for it ; and if he can convict, let him call for sentence. If it be indictable, the consequence may be—first, that he procures an increase of punishment for it in this instance ; and secondly, that he afterwards upon an indictment procures a sentence for the same publication ! Out of this dilemma the court cannot be relieved. If this be no offence, you have no right to punish for it ; if it be an offence, you ought not to leave it in the power of the attorney-general to punish twice for it. It is, perhaps, unnecessary to follow the attorney-general through the matter which the affidavit of the attorney for the prosecution contains ; and I do it slightly, and merely to show how little my client has to answer for with regard to those. The affidavit sets out three passages from my speech in the defence of Mr. Magee : the first relates to the attorney-general directly and by name ; the second consists of a passage addressed to the jury upon their impartiality ; and the third, the attorney who made the affidavit swears he believes alluded to one of your lordships. It is said that Mr. Magee ought to have made an affidavit to contradict that of the prosecutor's attorney ; how could he contradict that affidavit ? The attorney swears he believes the passage has a certain meaning ; and how could any person swear that the attorney does not so believe ? If he had given us the reasons of his belief, he might be possibly contradicted in fact, or confuted in reasoning. But look into the passage, and you will find that it expressly states an imaginary case ; and wretched indeed must be the state of the bar and the client, if the paintings of the imagination of counsel are to be reduced in shape and form,

and embodied into an array against the client. I disdain being a party to any such degradation ; I should feel disgraced if I were to offer an explanation on this topic. The remaining passages relate to what was said of the attorney-general himself. He has read for you that part in which, as counsel for Mr. Magee, I proclaimed (after an apology for the coarseness of the expression) any man who charged the Catholic people of Ireland with treasonable or revolutionary sentiments, to be a *liar*. You will, upon reading the entire of the passage, find that it is a reply to what fell from the attorney-general—it is a mere answer to his speech. He indulged in extraneous topics, and as counsel for the defendant, I felt it my duty to follow him.”

Justice Day—“ You have no affidavit for the defendant, stating that the attorney-general went into extraneous topics ? ”

Mr. O'Connell—“ We have not, my lord—nor is it necessary we should ; for these passages purport of themselves to be a reply to such extraneous topics—to be a reply to the attorney-general using those topics. If those passages are to be resorted to, they must be taken altogether, and resorted to for what they purport upon the face of them to be. They purport, then, to be a reply to the attorney-general ; and I ask your lordships in what language such charges ought to be refuted ? The jury was composed of what are called outrageously loyal men. It was the interest of my client, who had long been the advocate of the Catholics of Ireland, to stand well with that jury ; it was his interest that his counsel should stand well with them. Besides, there was a higher and more imperative duty on the advocate—as the Catholics are, by their oaths and their allegiance to the constitution, loyal—feeling for myself the pride of disinterested loyalty—that loyalty which is the result of judgment and of principle, not the mean and abject speculation of personal gain—that loyalty which would equally maintain the safety of the throne and the liberty of the people, and not that canting, peculating loyalty which seeks to enrich itself by cringing submission to the powerful, and insulting oppression to the weak and humble. With the fire of genuine and constitutional loyalty about me, I did brand with the harsher expressions known to the language the man who should presume to impeach the allegiance of the Irish Catholic, or mine own ; and I will even proclaim as a liar the man who makes that charge, whether he boldly and directly charges it, or contents himself with mean insinuation of its truth. Thus much I have said rather for myself than for the defendant, for in the extravagant shape of the present proceeding, I have the

air of being on my trial, and not my client; and I confess there is some justice in this. It was I who spoke the speech—it was I who urged those topics of defence; why should my client be punished for it? It was I who commented freely on the attorney-general, and addressed the jury as I deemed best; why should Mr. Magee suffer for my acts—why should he be punished for the boldness of my language? Is it because he sat in silence, and did not interrupt me? Why, his lordship, the chief justice who presided at the trial, saw me there—he heard me, I presume, as well as Mr. Magee; the counsel for the crown heard me, and did not interrupt me; your lordship heard me, and did not interrupt me—I beg pardon, you did interrupt me once, and then I was able easily to satisfy your lordship of my right to reply to the attorney-general. If there were any objection to what was said—if the line of reasoning or comment I pursued was objectionable or faulty, the trial was the time to have noticed it—it was the time peculiarly and exclusively suited for such notice; and it is due, as well to the traverser as to the prosecutor, to take that and no other time for the investigation of the propriety of the defence. But suppose it otherwise—suppose there does lie some new appeal to a future court—yet, surely, Mr. Magee is not to blame. There is no appeal to him from the chief justice; he is not bound, under peril of punishment, to be a better judge of the propriety of a defence and of the privileges of counsel than his lordship. Was it ever heard of that a private person was required for his own safety—to avoid an increase of punishment—demanded to superintend the conduct of the bench, and to become a censor of the judge? Must Mr. Magee be punished because he, fortified by the example of the court, listened in silence to the topics which I urged? The attorney-general is, therefore, quite unreasonable when he requires of the court to increase the punishment of Mr. Magee for not interrupting the discourse of his counsel. It has, however, been relied on, that Mr. Magee afterwards in his newspaper approved of and applauded the defence set up for him, and avowed it. My lords, I pray you to see to what this amounts. In the first place, it can be nothing more than would necessarily be implied from his silence. The client is presumed to avow that defence which is made in his presence; the public avowal of it can, therefore, make no difference. Whether he speaks of it or not, the defence is his; the public avowal is no aggravation. But in the next place, see, I entreat of you, what Mr. Magee has avowed thus publicly; he has avowed the ‘topics of this defence;’ that

is the extent of his avowal. Now, the speech of his counsel—my speech, my lords, was distinctly and emphatically divided into two distinct series of topics. The latter, and lesser part, related to the defence of Mr. Magee; the former, and far greater part, regarded the extravagant attack made by the attorney-general on the Catholic population of Ireland. The avowal and approbation of Mr. Magee are referable only to the topics of defence, and not to the matters contained in the affidavit to aggravate the punishment. To his defence no objection has been stated; and beyond what is purely his defence he ought not, in any view of his case, be made responsible. I recapitulate—for Mr. Magee his publication of the trial is no crime, no offence cognizable by any public tribunal; it is an act to which the law declares that no punishment is attachable. Besides, here it is sought to make him answer for what could be the fault, if fault at all, only of his counsel. And, good God! what a precedent will be established if you do so—if you punish him for that which the zeal of his counsel urged perhaps indiscreetly—I would concede, for argument sake, improperly; but not for this ought the client to be punished—and then any approbation given by him is confined expressly to the ‘topics of defence;’ so that upon any view of the subject, he cannot be confounded with his counsel. In short, the object—the plain object of the present proceedings is, under pretence of seeking punishment on the client, to attack the counsel. Your lordships have said that nothing personal to me was meant by the attorney-general; but welcome should any attack he may choose to make on me be—so you, my lords, spare the client, innocent at least of this default. I put his case in this respect on your sense of right and common justice. I conclude by conjuring the court not to make this a precedent that may serve to palliate the acts of future and, perhaps, bad times. I admit—I freely admit the Utopian perfection of the present period. We have everything in the best possible state; I admit the perfection of the bench—I concede that there cannot be better times, and that we have the best of all possible prosecutors. I am one of those who allow that the things that be, could not be better. But there have been heretofore bad times, and bad times may come again, there have been partial, corrupt, intemperate, ignorant, and profligate judges; the bench has been disgraced by a Bilknap, a Tressilian, a Jeffers, a Scroggs, and an Alleybown. For the present there is no danger; but at some future period, such men may rise again; and if they do, see what an advan-

tage they will derive from the precedent of this day, should it receive your lordships' sanction. At such a period it will not be difficult to find a suitable attorney-general—some creature, narrow-minded, mean, calumnious—of inveterate bigotry and dastard disposition, who shall prosecute with virulence and malignity, and delight in punishment. Such a man will, with prudent care of himself, receive merited and contemptuous retort. He will safely treasure up his resentment for four months. His virulence will, for a season, be checked by his prudence, until, at some safe opportunity, it will explode by the force of the fermentation of its own putrefaction, and throw forth its filthy and disgusting stores to blacken those whom he would not venture directly to attack. Such a man will, with shameless falsehood, bring sweeping charges against the population of the land, and afterwards meanly retract and deny them, without a particle of manliness or manhood, he will talk of bluster, and bravado, and courage; and he will talk of those falsely, and where a reply would not be permitted. If such times arrive, my lords, the advocate of the accused will be sure not to meet what I should meet from your lordships this day were I so attacked; he will not meet sympathy and equal liberty of speech. No, my lords; the advocate of the accused will then be interrupted and threatened by the bench lest he should wipe off the disgrace—the foul and false calumnies that have been poured in on him! The advocate then will not be listened to with the patience and impartiality with which, in case of a similar attack, your lordships would listen to me. The then attorney-general may indulge the bigoted virulence and the dastard malignity of an ancient and irritated female, whose feelings evaporate in words; and such judges as I have described will give him all the protection he requires; and although at present such a dereliction of every decency which belongs to gentlemen would not be permitted, and would rouse your indignation, yet in such bad times as I have described, the foul and dastard assailant would be sure, in court and beyond it, to receive the full protection of the bench; whilst the object of his attack would be certain of meeting imprisonment and fine were he to attempt to reply suitably. Before I sit down, I have only to add that I know the reply of the solicitor-general will, as usual, be replete with talent; but I also know it will be conducted with the propriety of a gentleman; for he is a gentleman—an Irish gentleman; but great as his talents are, they cannot, upon the present document, injure my client. With respect to his colleague, the attorney-general, I

have only to say that whatever relates to him in my speech at the trial was imperatively called for by his conduct there. As to him I have no apology to make. With respect to him I should repeat my former assertions. With respect to him I retract nothing. I regret nothing. I never will make any concessions. I do now, as I did then, repel every imputation. I do now, as I did then, despise and treat with perfect contempt every false calumny that malignity could invent, or dastard atrocity utter whilst it considered itself in safety."

When O'Connell's speech was concluded, heated by his exertion he threw himself into a seat. Bushe, the solicitor-general, immediately rose and was about to speak, when Wallace offered himself to the notice of the court, and said he hoped, in a case like the present which was characterized by severity and full of difficulty, the court would not consider it a waste of time to hear a very few observations from a second counsel.

The lawyer who made this request, Counsellor Wallace, was a remarkable man. He was perhaps the only self-educated man that ever appeared at the Irish bar. Ireland has been for ages so plagued and cursed with aristocracy that self-educated men are rarer in Ireland than, perhaps, in any other country. Hence it is no exaggeration to say that Wallace was a remarkable man. In his youth he found himself alone in the world—without competence or connexions, and with merely the rudiments of general knowledge. He then formed, and for years persevered in a solitary plan of self-instruction, until feeling his courage and ambition increased by the results of the experiments he had made upon himself, he rejected the temporary allurements of any more ignoble calling, and with a boldness and self-reliance which the event justified, decided upon the bar as the most suited to his pretensions. With this view he qualified himself for Trinity College, and entering there gave himself what was probably his chief motive in submitting to the delay—the reputation of having received a regular education. He was called to the bar in 1796, where his talents soon brought him into notice. He advanced at a gradual and a steady pace to competency, then to affluence, and finally, to the conspicuous place he held in 1813 in the courts. Though a Protestant, he had not at this period obtained a silk gown; he was known to have connected himself in his political sympathies with Grattan and the friends of Ireland, and this, according to the maxims by which the country was then governed, was an unanswerable reason for procrastinating for years his title to precedence.

Wallace's character exhibited little of the peculiarities of his country. No mercurial vivacity—no movements of an impatient and irregular ambition ; but rather the composed and dogged ardour of a Scotchman intent upon his destined object of fame and profit, and submitting without a murmur to the fatigues and delays through which it must be approached. In the same way it might be said of his mind, that it had little or nothing that was strictly national. The forms in which it excelled were purely abstract, and would come as well from a native of any country. It was as an advocate, as contra-distinguished from a mere lawyer, that Wallace had been most successful. There was at all times and on all occasions an innate, constitutional, imposing vigour in his topics, language, tones, and gestures—all co-operating to a common end, and keeping for ever alive in his auditory the conviction that they were listening to a singularly able-minded man. This impression was aided by his general aspect—his face, without a particle of pedantic solemnity, was full of seriousness and determination. Whatever of elevated or refined emotion might belong to the individual, it never settled upon his countenance, and equally absent was every trace of sentimental discontent. But you found there a rigid, statue-like stability of expression, importing consciousness of strength and immobility of purpose, and suggesting to those who knew his history and character an early and deliberate preparation for the world's frown, and a determination to retort it.

To return: Wallace—who now adopted a line of defence of which O'Connell had not been apprized—when accorded permission to speak, said: “From the nature of the facts charged in the affidavit, I am utterly unable to say what I am to justify or whom I am to defend ; whether I am to show this publication not to be a libel, or whether I am to prove it is not a contempt of court ; whether I am to defend Mr. Magee, by whom the speech was published, or to justify the counsel by whom it was delivered. When I say this application is unusual, my lords, I do not mean to deny the right of the attorney-general to state matter to the court in aggravation of the prisoner's guilt. I fully admit it. But the matter to be stated in aggravation of guilt must be matter in connexion with the original offence—not a distinct and substantive crime, for which the prisoner may be liable to a distinct and separate punishment. It must also be the act of the prisoner himself. No instance can be found in the history of the law where the court has been called to punish a convicted

man, by way of aggravation, for acts not only distinct and independent of the original offence, but also the acts of another person, and for which that person was liable to a distinct punishment. What is the fact here on which the court is called on to increase the punishment of the prisoner? Mr. Magee—the proprietor of a newspaper in which it is usual and justifiable to publish fair reports of the proceedings in a court of justice—is charged with having published in that paper these parts or passages of the speech of counsel delivered in the case of ‘the King against Magee.’ If the passage so published be a libel, it is a libel quite distinct from that of which Mr. Magee has been found guilty—for that was a libel on the Duke of Richmond, and these passages have no reference to that subject. If this be a libel, should it not at least be proved so before Mr. Magee is punished for it. Should he not have an opportunity of defending himself by witnesses before a jury, instead of being thus, unheard and undefended, submitted by the attorney-general to the court for punishment as a guilty man. If this be a libel, let the unfortunate prisoner be punished for it; but before he is punished, let his guilt be ascertained in the usual way—by a jury of his country, and not by the affidavit of a crown solicitor, and upon the argument of the attorney-general. But if Mr. Magee must now be put upon his defence for this publication—if the trial by jury in this instance is to be superseded, and the fact ascertained by an affidavit, let me ask how is this publication a libel? It is stated to be a report of what was delivered in a court of justice; it is not charged by the affidavit to be an unfair report, or to have been published with any sinister motive, or to give any false or over-charged colouring. Is such a publication a libel? This surely is not the time or the place to go at any length into an argument on the doctrine of libel. I will not cite any particular case to prove that such a publication is not libellous; but I rely on the whole train and current of authorities that it is not so. I know the learning and pre-eminent talents of the gentleman who is to reply to me, and yet without dread I challenge the learning of the solicitor-general to prove me mistaken in this position, ‘that if the publication be a fair report of a judicial proceeding, it cannot be a libel.’”

Mr. Justice Day observed that though a fair report of a trial may not be libellous, it was another question whether the speech of counsel, published by himself, might not be a libel.

“I am solicitous,” replied Mr. Wallace, “to avoid in any degree implicating the case of my client with the merits or de-

merits of the speech. If my learned colleague has fallen into any error or impropriety in the speech which he delivered, he has the manliness and candour, I am confident, to avow it and take on himself the responsibility."

O'Connell, on hearing these words, rose and said, "I do not admit I have been guilty of any impropriety."

"I am misunderstood," said Wallace, "if it be supposed I mean to charge any impropriety on Mr. O'Connell. I say only that if such impropriety had been committed, my learned colleague would have had the manliness to take the responsibility of his own act upon himself, and that the punishment of this error should not fall on Mr. Magee. The counsel who delivered the speech may be innocent; but whether guilty or innocent, I contend that the fair publication of it as a proceeding in a court of justice, and uncensored by the learned judge who presided, must be innocent."

"Mr. Wallace, you are arguing this case so ably and clearly that it is almost a pity to interrupt you," said Justice Osborne; "but I would suggest, not by way of objection, but for your assistance, that it is probably not the mere publication of the speech, but the subsequent adoption of it by the prisoner, which creates the difficulty, as leading to a belief that he suggested the topics with a libellous intention."

"I thank your lordship for the suggestion you have had the goodness to make," replied Wallace. "The expression to which your lordship alludes I intended to apply myself to, and shall do so; for the present, I shall only observe, as an answer to the inference which the court adverts to, that the affidavit upon which it is sought to aggravate does not state or even hint at the passages having been suggested with that view; and surely the court will never assume a fact like that, for which the charging affidavit affords no colour. Nothing is charged by the affidavit but that the prisoner published the speech, and that the line of defence taken by his counsel had his approbation. The mere publication under such circumstances of a speech which was suffered to be delivered without interruption by the judge, cannot, I have endeavoured to show, be libellous; but when it is considered who that learned judge is, the argument acquires tenfold force—a judge, not only distinguished for his zeal in the administration of justice, but for his anxiety that that justice should be administered with decorum. When such a judge permitted a speech to be delivered without reproof, how can it be criminal in the editor of a newspaper to print it?"

"All that you say may be very fair, Mr. Wallace, in arguing

your client's case," said Chief Justice Downes—"it may be a very fair imputation on the judge; but if you mean to infer from thence the judge's approbation of that address, believe me the very reverse is the fact."

Mr. Justice Day observed that it would be very hard if the mildness of a judge, unwilling to interrupt counsel in defence of an accused man, should be converted into a justification or approbation of what counsel was unwarranted in uttering.

"Nothing," said Wallace, "could be farther from my intention than to insinuate that the silence of the learned judge amounted to approbation. I am not defending the counsel who delivered the speech, but the prisoner whom it is now sought to punish for the publication of it. I only say that the silence of the judge was an argument to the prisoner that this speech was not so disapproved of by the court, as to lead him to believe the publication of it would be criminal. Between positive approbation and decided disapprobation, there are numerous shades of difference; and though the judge may not approve what may have been said or may have been done in a court of justice, it may not follow that he so decidedly disapproves as to warrant him in stopping the counsel who delivers it; but if he does not so disapprove, what is there to indicate to a publisher that he is unwarrantable in giving the speech to the public? Upon the whole, therefore, if the publication be a libel, it is one in its nature distinct from that of which Mr. Magee has been convicted—and yet it is one for which he may be tried, convicted, and substantively punished. And therefore it is contrary not only to strict law, but to the first and most obvious principle of justice, to punish him for it in this instance. But I think I have shown that it cannot be libellous. If then it be not a libel, on what principle can it be at all punishable? If it be not a libel, I am at a loss by what name to call it.—What man will be safe if, after counsel have made a zealous and ardent defence for him, though it may be unfortunate or injudicious, he shall be liable to fine and imprisonment if from the impulse of gratitude which he feels for zeal he shall venture to approve and adopt what that zeal may have led his counsel to utter? Must it be established as a principle of law that the feeling of gratitude to his counsel—the most honourable reward which the labours of counsel can receive—must be checked and chained until minute inquiry be made whether all that counsel may have said has been critically and scrupulously correct—until, perhaps, the opinion of other counsel be

taken on its wisdom, its legality, and its propriety. Must the superintendence of counsel be transferred from the court to the client, and must the client, before he adopts the defence made by his counsel, though that defence has not been reprehended by the court, hold an inquisition whether though it have escaped for the present the court may not hereafter at any indefinite time change its opinion upon that point, drag it again into discussion, and make it a subject of punishment. See, my lords, what a dreadful responsibility you impose on counsel and on the client by such a rule. If the indiscretions of counsel are to be visited on the client—instead of inquiring what are the talents or the learning of counsel, the client must examine into his moral qualities—into his politics, his temper, lest whatever advantage he may derive from his learning or his talents he should be punished by fine and imprisonment for his intemperance or his errors. A new epoch arises in the history of the administration of justice if this be law. The relation of counsel and client, such as it has heretofore existed, is abolished—such as it existed when your lordships were at this bar, and when you were free to give the full benefit of your talents to the client, unembarrassed by the fear of having your errors of temper or of politics visited upon him. A new and vicarious relation is established by which the client and the counsel must be bound together *pro bono et malo*, and the client may become the victim to be immolated for the crimes of his counsel. Under the worst of judges and with the worst of juries, no such dreadful principle has been promulged—no such horrible precedent has been set. So long as the spirit of law and of liberty shall live in this land—and I am proud to say that spirit does exist—no such principle can be established—no such precedent will be set. For the sake of the client then, my lords—for the sake of counsel—for the sake of the court—but above all, for the sake of justice, I do implore your lordships to refuse your assent to such a principle or to establish such a precedent. But if this application should be granted, a precedent will be established which can neither be evaded nor explained away; for the materials on which this application rests are too simple and unambiguous to afford a hope that the decision of the court can be attributed to any other or more legitimate ground. But your lordships, I predict, will set no such precedent. No, my lords; let the free spirit and honourable responsibility of the bar remain! If we be guilty of errors, let us answer for our own demerits; if we shall violate the decencies which our relations to the

bench or the public demand of us, let us suffer the reprimand and reprehension of the bench before whom we shall offend. Or rather leave us, my lords, to that more severe and dreaded punishment which the law of opinion prepares for us—the opinion of this liberal, learned, and high-minded profession, who *certainly* will suffer no man to escape with impunity who shall be guilty of a coarse, or a vulgar, or a saucy abuse of the robe he wears. Or if your lordships have not that full confidence in the integrity and justness of feeling of the Irish bar which I am proud to say I entertain—if you think you cannot safely commit to the profession the superintendence of its own manners, let that higher power which, it is said, is vested in the judges of the land be exercised if it exist. Let anything that reason and justice can devise be done to preserve the propriety and the honour of the bar, the dignity and the respect due to the bench. One thing only, my lords, I solemnly deprecate—in the name of God, let not the guilt of the client be aggravated by the sins of his counsel. Here, my lords, I shall stop. I feel I am too long dwelling on what the professional feeling and the justice of the court concur with me in enforcing. I shall therefore leave the case and my client to that feeling and that justice, and shall only express my humble hope that the judges of the land will not invert the doctrines of our holy religion, and instead of saving by imputed righteousness, condemn and punish by imputed guilt.”

It is indispensably necessary in the legal profession, that the advocate should be faithful to his client, but it is also necessary that the client should be faithful to his advocate. According to the Spanish proverb, we should never deceive our doctor, our confessor, or our lawyer; but in this case, Magee unquestionably deceived O'Connell.

O'Connell felt as if Magee—who had not apprized him of the line of defence which Wallace adopted—had repudiated him. It might, no doubt, arise from the excessive sensibility of O'Connell's mind—that sensibility which is the inseparable accompaniment of genius, and constitutes its torment; but the speech which we have already read, occasioned no ordinary pain to O'Connell. Could the reader by any possibility transfer himself into O'Connell's place, and view the question from his stand-point, he would see that though Wallace's speech was carefully worded—though he rejected O'Connell tenderly and politely, still it was a rejection, which of course was suggested or approved of by Magee. O'Connell thus saw, amid the laurels which his eloquence deserved and received, the in-

gratitude of his client, like some brute-monster, starting out unexpectedly to horrify and wound him. This might, as we said, originate in O'Connell's susceptibility; but be the origin what it may, it pained him exquisitely at the moment. It seemed the treacherous effort of a man in whose behalf he had put forth all his intellectual wealth—exerted all his powers and talents, to dash him down from the lofty dignity of an advocate into the grovelling degradation of a culprit. It occasioned him unspeakable displeasure to see himself cast off by the client with whose warm approbation and hearty concurrence he had adopted his line of defence. It gave him pain—unblended, however, with the slightest thrill of fear—to hear Wallace call upon the bench to substitute the advocate for the defendant, and rain upon the head of the former the penalties of offences alleged to be perpetrated by the prisoner.

The conduct of Magee, if it cannot be excused, may at least be accounted for. He felt, as did every man in the community, that though he himself was nominally arraigned, it was O'Connell they were really trying. He felt that the aristocracy were acting dishonestly in impeaching him, and his conduct may be interpreted into an effort to baffle and frustrate them. He felt that the aristocracy were too cowardly to grapple with the bold and powerful tribune who had excited their mean malignity, and he called on them to act with courage. If the aristocracy could have dashed their claws into O'Connell, they would have gladly torn him to pieces, instead of nibbling at Magee; but they shrank back in alarm from his lion-like appearance as cautiously as

“Some poor steer, that in the lion's cave
Seeks shelter from the snow.”

Magee's conduct may receive this interpretation; but at the time it appeared to many treacherous and unmanly on his part to try to make a scape-goat of his advocate.

The reluctance of the aristocracy to encounter a man like O'Connell, whom they were so desirous to strike down, tends to exalt our conception of O'Connell's talents. Their anxiety to wound him was unquestionable, but they felt that he could not be coerced into submission or cowed into abject fear. They regarded him with alarm as well as hate—aware that he was a formidable foe perfectly prepared for them. Like reptiles, as they were, they hissed at him and let him alone.

In the following speech of the solicitor-general, the reader will find that Bushe refuses to draw the distinction which was

pleaded for by Wallace. He turns aside from the free and noble game that was offered him, and vents his rage on the pale captive who was struggling in his toils. He wishes to have Magee punished for his original offence, the libel on the Duke of Richmond—and his aggravation of that offence, the adoption of his counsel's philippic, but he will not assail that counsel.

"My lords," said Bushe the solicitor-general—"I agree altogether with Mr. Wallace, that this is a perfectly novel and unprecedented case; and perhaps on this account it has been much misunderstood, and consequently much misrepresented. In the first place, my lords, it is urged as an objection to the proceeding by the crown, that nothing which has occurred since the trial can be relied on in aggravation of the crime, and that something connected with the original offence is the only justifiable document upon which the prosecutor can apply for an aggravation of punishment. That is an assertion, my lords, which is not well considered. The authority to the contrary is express. It was decided upon solemn argument in the king's bench in England, in the case of the King against Withers, in which the arguments now relied on by Mr. Wallace were without effect urged on the court. That decision puts an end to the preliminary difficulty suggested by Mr. Wallace, which it is necessary to put out of the way, because if it were well founded, the discussion of other topics which have been debated to-day would be so much time unnecessarily consumed."

"I did not understand Mr. Wallace as urging to that extent," said Justice Day.

"My lords," said Bushe, "he certainly did; and I cannot offer a better proof that he did so than by showing that the very same arguments, by a coincidence which naturally occurs when men of talent consider the same subject, have been urged by Mr. Wallace this day which were relied upon by Mr. Dallas as counsel for the prisoner in the case to which I allude. and which is reported in the 3rd Term Rep. 428. I shall read the report: 'The defendant was convicted upon an indictment for publishing a libel, and was brought up to receive the judgment of the court. Mr. Erskine on the part of the prosecution, by way of aggravating the punishment, produced to the court an affidavit to which was annexed another pamphlet written by the defendant after the trial, which he called an apology, but which was in fact more libellous than the publication for which he was tried. Mr. Dallas, for the defendant,

objected to the reading of this second pamphlet, because it was not competent to the prosecutor, *after the trial*, to give evidence of separate and distinct crimes unconnected with the original charge, in order to aggravate the punishment of that charge.' Your lordships see that this is exactly the argument of Mr. Wallace. 'This second publication,' continues Mr. Dallas, 'may, if true, be the subject of a future prosecution, in the trial of which the defendant may have an opportunity of taking the opinion of the jury on the question of fact, and of having the publication put on the record, that he may take the sense of the court, and afterwards of a court of error on the question of law—whether the matter be libellous or not. Whereas if it be read now, by way of aggravating the former offence, he will be deprived of both these advantages, to which every person who is accused of publishing a libel is entitled; and this cannot be pleaded in bar to another prosecution on the same charge; so that in effect he will be punished twice for the same offence.' 'But,' Lord Kenyon said, 'it is well settled that the conduct of a defendant—subsequent to the time when he is found guilty—may be taken into consideration, either by way of aggravating or mitigating the punishment. In general it is done for his benefit—in order to extenuate the offence; but it is also done, when required, to aggravate.'

"My lords," continued Solicitor-general Bushe, "I conceive that it is unnecessary for me to argue upon the principle which justifies this decision—it is a ruled case; and this publication now brought before the court—being subsequent to and unconnected (if it be unconnected with the libel), forms not the least objection to our laying it before the court in the way of aggravation. My lords, the next proposition which has been advanced by the two learned counsel for the defendant is of a different description; but I think they have been reduced to the necessity of arguing it by not adverting to what the question before the court really is. They argue upon the authority of 'the King v. Wright,' and other cases which were not cited, supporting to the full extent that doctrine which I do not question—that the publication of any matter, however libellous or slanderous, which is put forward by indictment or otherwise in a court of judicial proceedings before a competent tribunal, is not the subject of a prosecution or an action for slander. In the case of 'the King v. Baillie,' a memorial to the governors of Greenwich Hospital, printed and circulated among the members of the hospital was held not to

furnish a ground for prosecution, although the charges in that memorial conveyed the severest censures against Lord Sandwich and others, and imputed the grossest criminality. But the cases which have decided upon the right to publish the proceedings of a court of justice, have never yet gone the length of establishing the affirmative of what Mr. Justice Day has thrown out as a question for argument—whether it, in the course of a legal proceeding, a gentleman of the bar were to transgress his duty and the bounds within which the exercise of that duty ought to be confined, a publication of the irrelevant and mischievous slander in his speech could be justified by alleging that it was a report of all that he had uttered. Nothing to that extent has ever been decided, because such a case, thank God, has never heretofore occurred, and although it is unnecessary to decide such a question here, it may not be unimportant, as the topic has been so much discussed, to remind the court of adjudications which furnish at least analogies on the subject. I trust that I shall not be considered as abdicating the claims of the profession to an intrepid advocacy of our clients' cases if I say, that they are not higher than the claims of the members of both Houses to the privileges of the freedom of speech in parliament. It is a settled law that if a member of parliament, in the discharge of his duty as a representative of the people or as a hereditary counsellor of the crown, think proper to speak slanderously of any individual, although no man can question his freedom of speech, yet if he descends from his character of a legislator—and, becoming a publisher, should print that speech, he abandons the scene of his privilege—he gets into another atmosphere; and, putting himself on a level with other men, is exposed to all those consequences which the law attaches to the publication of slander. Such, your lordships know, was the case of Lord Abingdon; such was the more recent decision in the case of a member of the Lower House. But, my lords, it is unnecessary to discuss that point in the present case, in which the question is very different. My lords, we did not seek to visit Mr. Magee with the consequence of this speech, either as a speech or the publication of counsel—that would be a subject of particular anxiety, difficulty, and delicacy. We should regret to think that there could exist a necessity for such a discussion; but certainly there is no such necessity now. Mr. Magee is not brought before the court this day to have his punishment increased because his counsel delivered a particular speech—but because he has, as ap-

pears, distinctly declared that the speech, such as it was, was made in consequence of his instructions—that he had directed his counsel to make it, and that his directions were given before it was pronounced. This makes it perfectly justifiable to discuss that speech, and to see how far it is visitable upon the prisoner. Such a discussion cannot entrench upon any of the privileges of the client and the counsel, and is only unprecedented because the crime is novel, and because there is no precedent for such an enormous and monstrous delinquency. I must remind your lordships that the trial of Mr. Magee occupied two days—the statement for the crown and the case on the part of the prosecution closed the first, and Mr. Magee and his counsel had a full opportunity of considering in what manner the defence should be brought forward on the following. After the trial, Mr. Magee publishes in his newspaper the entire proceeding—and at the conclusion of the report he not merely indulges in expressions of gratitude and admiration for his counsel's exertions, and asserts—not in any general or vague language, but in express terms—that he had instructed the counsel and warranted every part of the speech; and that the topics of his advocate were precisely those which he had instructed him to urge. Here then is a man who neither trusts to the zeal nor discretion of his counsel, but deliberately prompts and suggests all the topics of a language before it is uttered and adopts them afterwards; and therefore, my lords, we come to this only question—whether a man who is brought to your bar to answer an accusation has a right to change characters with his accuser and his judges—to spring from the bar and seat himself upon the bench—to arraign the judge as a culprit—to arraign the jury and the officer of the crown as culprits. My lords, suppose the case of the prisoner having pleaded his own cause; suppose that he were gifted with the eloquence of his counsel, and had stood up for himself and said, ‘My business is not to defend myself; I have no witnesses; I come here to accuse you—to tell you, the jury, that you are a packed and unconstitutional jury—that you, the judge, are partial and corrupt; and you, Mr. Attorney-General, are talentless and degraded—what have you to say for yourselves?’ My lords, if Mr. Magee had conducted himself in that way, there could be no second opinion on the subject, and if the crown should insist that his conduct had aggravated his crime, your lordships would not allow him, because such an outrage had never before been heard of, to avail himself of the novelty of his transgression, and complain that the proceeding

of the crown was new and unprecedented. Then what is the distinction to be taken between Mr. Magee conducting himself in this manner at the bar, and instructing his counsel to do so? I am very glad, my lord, that it is not necessary now to argue how far counsel can be justified in acting upon such instructions. This is not the time or place for such a discussion. The privileges and the duties of counsel are important, and the investigation of their nature and extent is delicate. I do not wish to see them touched—and if they have been transgressed, I am not afraid to suppose that no permanent injury can arise from such an abuse in the perfect confidence that it will not occur again, and that the honour and dignity of the profession will assert themselves against the only instance of an imputation upon either. I own I felt alarm at my heart when I was told that this was a question of the privileges of the bar, and that these privileges were invaded by the present proceeding of the court; and it gave me a pang when I heard it said, that in the name of the bar of Ireland this monstrous and enormous violation of all decency and justice, of which we complain, was to be justified and upheld. That allegation, however irrelevant, cannot be passed by and must be animadverted upon. The privilege of the bar is great indeed—a proud privilege to the advocate, valuable to the client, inestimable to the public; but, in point of fact, what right has Mr. Magee to complain? His counsel was not interrupted in the delivery of a speech which took more than four hours to deliver, and if that speech were calculated to serve the client, Mr. Magee has had the full benefit of it. No one stepped between the counsel and the jury—and the counsel has no right to say, that while he spoke the privileges of the bar were checked, or that the client was deprived of the benefit of his exertions. But as to the nature of those exertions—although I rejoice that it is not necessary to draw a precise line between the true privilege of the bar and a licentious abuse of it, and that much must be left to the judgment, to the feeling, the decorum, the honour, and the taste of the person who is to exercise it—yet I hope that I may not be supposed to suggest or to imply that there are no limits within which the duty of the advocate is to be confined. The privilege of the advocate is like the liberty of the press. I hope power may never invade and that influence may never sap the one or the other—but they are both liable to greater danger from abuse, and exposed to that mortal blow and suicidal death which can only be inflicted by their own hands. If the press be abused to licentiousness, and

the privilege of the bar runs riot and becomes outrageous, the consequence will be that both will cease to be of value, because both will be contemptible—no man will respect either. The authority which is prostituted is held cheap. The thunder of the press will become a *brutum fulmen*, and the eloquence of the advocate will be worse than mischievous to the client; the interest—the precious interest which the public has in those privileges will be sacrificed, and sacrificed by those who affect to maintain them. I trust, although I have the honour of holding an office under the crown, there has been nothing in my practice for a period of twenty years which has exposed me to the suspicion of compromising the privileges of my profession; yet I cannot but feel that we best assert them by respecting them in our practice. The line may be said to be faint which separates our liberty from our licentiousness. I admit that it is so. It is a line of demarcation which every man must draw for himself. I never wish to see it defined, and while I hope it will never be transgressed, I trust it will always be understood. Even where those privileges are wounded I would scarcely wish to probe the wound, and would touch it with a trembling hand, lest I should endanger life; but can any man be at a loss to suppose to himself instances of the perversion and prostitution of the invaluable privileges of the bar. Suppose one of those characters were to revive whose infamy, recorded in history, has stigmatized the prerogative lawyers of other times; suppose an attorney-general or solicitor-general were now so far to forget his duty to his country and his profession as to strain the law in favour of prerogative—to revile and cheapen the authority and rights of juries—attack the popular and parliamentary branches of the constitution—assail the liberties of his countrymen, and, under the authority of his office, preach the exploded doctrines of non-resistance and passive obedience; would it be endured that when universal indignation overtook such a miscreant, he should be allowed to defend himself by alleging the privilege of the bar? Would any man guilty of such abomination be permitted to say, ‘In the name of the bar, I call for indulgence and protection.’ On the other hand, suppose a barrister, entrusted with the defence of a popular cause, should lend himself and sell his client to the purposes of faction—should play the incendiary under the mask of the advocate, and then call out, ‘Here I am at the head of the Irish bar, and in their name I call for protection, and to be established in those privileges which I assert for them, and which the crown has invaded.’

I venture to assert that the one and the other would be disappointed, and that the man who so conducted himself, if he thought that the bar was following him, when he looked behind him would find that he stood alone. I feel, my lords, that I have been discussing a subject not necessarily under your consideration. But I own that I was warmed to jealousy when I was told that the question of the independence of the Irish bar was at stake upon this debate. I trust in God I may never see a case, civil or criminal, in which an advocate may do anything which will endanger its privileges or create a question upon its rights. . . . Now, my lords, see what it is that Mr. Magee has adopted. After a prefatory description of a judge, stated hypothetically, his counsel proceeds to say : ‘ Such a man, inflated by flattery and bloated by dignity, may hereafter use that character for sanctity which has served to promote him, as a sword to hew down the struggling liberties of his country ; such a judge may interfere before trial, and at the trial be a partisan. Gentlemen, should an honest jury—could an honest jury, if an honest jury were again found, listen with safety to the dictates of such a judge ? ’ What a charge ! Against what a character ! My lord, I will put you out of the case. High as you are in talents and situation, venerable by rank and worth, you vanish into insignificance compared with the interest which belongs to the public in the administration of justice, thus insulted in your person. . . . He (Magee) had it in his power to say that he did not instruct his counsel to use that topic at all, or he might have sworn that if he did, he did not mean to apply the description to the chief justice. He has not availed himself of either opportunity ; and, my lords, another opportunity was afforded this day, and the learned gentleman who made the speech might have disclaimed the construction given to it. He has not done so ; and that horrible imputation which strikes at public station and private worth is fastened upon the prisoner, and remains unexplained. My lords, I pass from that to another passage in the same speech, and find that, not content with defaming and insulting the first magistrate in the country in his own court, the jury, when they were impaneled, are distinctly charged with corruption and partiality by the criminal in his defence. ‘ Would to God I had to address another jury ! Would to God I had reason and judgment to address, and I could entertain no apprehension from passion or prejudice. ’ This is a formidable and flagrant accusation against twelve honest men, impaneled on a solemn occasion to discharge an awful duty under the ob-

ligation of an oath publicly taken in a court of justice ; and your lordships have it now not only confessed by this gentleman, but it is claimed by him, it is boasted of by him—as if he were jealous and afraid that his counsel might claim some share of the honour—that he himself precisely instructed his counsel to urge those topics and bring forward those calumnies. Mr. Wallace has urged that your lordships must take it for granted that all topics which are relevant to the defence were the instructions of the client, but that all which were irrelevant were the effusions of the counsel. My lords, you cannot say for Mr. Magee what he has refused to say for himself. The same ingenuity which has suggested such a distinction as an argument, must have pointed out to Mr. Magee the importance of establishing the fact by an affidavit. He has not done so, and he must abide the consequences. Surely, my lords, I am not called upon to further enlarge upon the nature of this most unparalleled proceeding, in which a culprit, indicted for an offence for which he is liable to punishment, has in the progress of his trial arraigned the justice of the country, calumniated the prosecutor, insulted the judge, and vilified the jury. Your lordships have to decide this day whether by such conduct he has not added to his original guilt, and whether public example does not call for an aggravation of his punishment. My lords, the effects of such slander are not confined to these characters who have been defamed, or even the administration of justice in our own land. The character of our country is at stake—and with its character, its safety. Think of the consequences of such a slander sent abroad by the widespreading circulation of his newspaper. Think of the different lands in which such a slander will be received and not refuted. Think what topics it would furnish for the manifestoes of an invading foe supported by domestic incendiaries ; think with what authority they might invite a people to insurrection to whom they proclaim that the administration of justice is corrupt at the heart—that the laws are enforced by degraded characters, expounded by profligate judges, perverted by partial and unprincipled juries. Who could blame the deluded people who should rise against such a government, under which they are to believe that there is no security for their properties, liberties, or lives. But, my lords, let me carry the supposition a step further, and suppose this slander to be spread through the ranks of the Spanish armies and addressed to the Spanish Cortes—amongst whom we are told that it is to be disseminated in their own language—suppose it to disgust, or neutralize, or

sow discord amongst those allies now confederated for the deliverance of Europe and the establishment of all the dearest interests of civilized society. Can the prisoner's conscience permit him to assert that I am only stating an imaginary case? I claim the liberty contended for by his counsel of speaking hypothetically—but I ask him, is it a mere supposition if I assert that a malignant newspaper, in the midst of its most prosperous and brilliant career, may thwart the valour and frustrate the victories of our gallant countryman, by basely representing him to the high and jealous nobility of Spain, as aspiring to the crown of that country which his talents and courage have redeemed? I am not at liberty to pursue this topic farther, and shall only say that if such baseness were capable of aggravation, it would be found in the deliberate malignity of the author of so much mischief, if after he had witnessed the success of the slander, and saw the poison he had prepared working to his wish, he should republish the atrocious calumny, triumph in its efficacy, and claim from another libeller the disputed honour of having originated it."

In the bosom of O'Connell, while listening to the cunning tissue of delusive sophistry woven by the brain and tongue of the solicitor-general, the fiercest passions which ever shook the heart of man were heaving and struggling for utterance. But he over-mastered and kept them down, while secretly vowing again and again to rend the chain that galled his country—to battle with oppression and boldly confront the servile myrmidons of authority. It is impossible to describe his feelings—the unspeakable disgust, the indignant scorn with which he heard the crawling spawn of political corruption, who had been foisted on the bench by the basest statesmen in European history, hailed by the well-schooled sophist who pleaded for oppression, as ministers of justice! They had no true title to that appellation. Far from being worthy of sitting on the bench, the Union judges richly deserved to be arraigned at the bar as guilty of the blackest perfidy and the foulest treachery that ever disgraced mankind. They were unquestionably ermined criminals—and it is therefore impossible to describe the boiling emotions with which O'Connell heard Bushe offering those foul idols the incense of his mercenary homage. But we may rest assured that O'Connell's patriotic purposes were confirmed, that his determination was redoubled, and that he vowed and vowed again, secretly and solemnly, to struggle for the right and battle against oppression. The sentiments which filled his mind on this occasion were

those of the poet of after times who said so nobly and so boldly :

“ Let the coward shrink aside—
 We'll have our own again !
 Let the brawling slave deride—
 Here's for our own again !
 Let the tyrant bribe and lie,
 March, threaten, fortify,
 Loose his lawyer and his spy—
 Yet we'll have our own again !
 Let him soothe in silken tone,
 Scold from his foreign throne,
 Let him come with bugles blown—
 We shall have our own again !
 Let us to our purpose bide—
 We'll have our own again !
 Let the game be fairly tried—
 We'll have our own again !
 Calm as granite to our foes—
 Stand for our own again !
 Till his wrath to madness grows—
 Firm for our own again !
 Bravely hope and wisely wait,
 Toil, join, and educate,
 Man is master of his fate—
 We'll enjoy our own again !
 With a keen, constrained thirst,
 Like the mine before it burst,
 Making ready for the worst—
 So we'll get our own again !
 Let us to our purpose bide—
 We'll have our own again !
 God is on the righteous side—
 We'll have our own again !”

Something like this would have been O'Connell's answer to the sophistry of Bushe could he have unbosomed his secret soul, for in his subsequent proceedings he realized something very similar.

Despite the pleadings of Wallace and the oratory of O'Connell, the sentence pronounced by Justice Day—a man grossly ignorant of law and ludicrously imbecile in mind—was horribly severe. Magee was ordered to pay £500 to the government, to find two securities in £500 each, and to give security himself in the sum of £1,000 for good behaviour during seven years. In addition to this monstrous infliction, Magee was sentenced to pine for two years in gaol, and “to be further imprisoned until such fine was paid and such security given.” It was a cruel, revolting, and horrible sentence, which glaringly proves—what indeed every page of Irish history proves so

glaringly—that the many-headed monster, aristocracy, has no compassion—has no conscience. On that corrupt and titled class in whose interest and at whose beck it was pronounced, it reflected indelible disgrace. In striking at Magee, the aristocracy were really striking at O'Connell. These men were maddened by O'Connell's eloquence. His ascending and enlightening power tortured them with terror, uneasiness, and abhorrence. Knowing, as they did, the triumphs which eloquence in all ages has achieved—the torpidity it has kindled into active life, the resistance it has vanquished, and the oppression it has broken down—and this under circumstances in which the sword has been parried and gold repudiated—they regarded O'Connell with malignant hate and suspicious dread. The subject of their apprehension was not his knowledge or his patriotism, his honesty and courage, his genius and wisdom—it was his amazing power of speech, which exhibited the varicoloured hues of his exhaustless mind as well as the solid substance of his deep sagacity, and wafted the echo of his melodious voice over the green hills and down the valleyed rivers of his native country, far beyond the mural precincts of that narrow court, to repose in the hearts of thousands who never saw the persuasive speaker. Nor was it his striking descriptions and irresistible invectives—it was not his humour which made men laugh, nor his pathos which made them weep, that the aristocracy dreaded—it was the hard and stubborn facts, the extensive and accurate knowledge on which he solidly based his brilliant illustrations and bursts of feeling. It was TRUTH! Like a transient torrent from the mountain, the gush of passion will pass away—like the fairy frost-work of a winter's night, the pictures of the imagination will disappear; but indestructible truth, embedded in the mind, remains, assimilates, and becomes part of the human intellect.

The severe sentence on Magee was unquestionably illegal. In the semblance of precedent which was adduced by the solicitor-general in the case of the *King v. Baillie*, the defendant was punished for an apology published by himself—he was *not* punished for a speech delivered by another. But slavish subserviency to an unscrupulous aristocracy, and reckless hostility to the rights and liberties of the people—not an acquaintance with legal science—placed judges upon the bench who were notoriously partizan and disgracefully incompetent. Yet, in delivering judgment, Day had the inconceivable effrontery to compliment a court whose judges had been appointed by the infamous governments of Sidmouth and Castlereagh, as

a "sober, unimpassioned, and dignified tribunal!" Nothing could be farther from the truth. In the *nisi prius*, for instance, the "performances" of the presiding judge were greatly preferable, in the decline of the Dublin stage, to any theatrical exhibition. Lord Norbury, in that court, was at the head of an excellent company; and as he drew exceeding full houses, Frederick Jones sometimes looked at him with considerable jealousy, and was said to have been advised by Serjeant Gould, who had a share of £3,000 in Crowe-street Theatre, to file a bill for an injunction against the chief justice for an infringement of his patent. As the judge so essentially contributed to the amusement of the public, he gradually grew into general favour, and was held in something like the reverence which is entertained by the upper galleries for an eminent actor of farce. The spirit of the judge extended itself naturally enough to the counsel, and men who were grave and considerate everywhere else, threw off all soberness and propriety, and became infected with the habits of the venerable manager of the court the moment they entered the Common Pleas.—His principal performers were Messrs. Grady, Gould, and Keller, who instituted a sort of rivalry in uproar, and played against each other. With such a judge and such auxiliaries to co-operate with him, some idea may be formed of the attractions which were held out to that numerous class who have no fixed occupation, and by whom, in the hope of laughing want away, the Four Courts in Dublin were frequented. Long before his lordship took his seat, the galleries were densely filled with faces expressive of idleness, haggardness, and humour. At about eleven, his lordship's registrar, Mr. Peter Jackson, used to slide in with an official leer; and a little after, the judge entered with a grotesque waddle, and having bowed to the bar, cast his eyes about the court. Perceiving a full house, an obvious expression of satisfaction pervaded his countenance; and if he saw in the crowd any of his acquaintance of a noble family, such as Lord Claudius Beresford, who had a good deal of time on his hands, he ordered the tip-staff to make way for the gentleman; and in order, we presume, to add to the dignity of the proceedings, placed him beside himself on the bench. While the jury were being sworn he either nodded familiarly to most of them, occasionally observing, "A most respectable man!" or if the above-mentioned, celebrated member of the house of Curraghmore chanced to be next him, was engaged in so pleasant a vein of whispering, that it was conjectured from the heartiness of his laugh that

he must have been talking of the recreations of the Riding house and the amusements of 1793. The junior counsel having opened the pleadings, Lord Norbury generally exclaimed, "A very promising young man! Jackson, what is that young gentleman's name?" "Mr. —, my lord." "What—of the county Cork? I knew it by his air. Sir, you are a gentleman of very high pretensions—and I protest I have never heard the many counts stated in a more dignified manner in all my life. I hope I shall find you, like the paper before me, a *daily freeman* in my court." Having despatched the junior, whom he was sure to make the luckless but sometimes not inappropriate victim of his encomiums, he suffered the leading counsel to proceed. As he was considered to have a strong bias towards the plaintiff, experimental attorneys brought into the common pleas the very worst and most discreditable ventures in litigation. The statement of the case, therefore, generally disclosed some paltry ground of action, which however did not prevent his lordship from exclaiming at the outset, "A very important action indeed! If you make out your facts in evidence, Mr. Grady, there will be serious matter for the jury." The evidence was then produced, and the witnesses often consisted of wretches culled from stews or cellars, whose emaciated and discoloured countenances showed their want and their depravity; while their watchful and working eyes intimated that mixture of sagacity and humour by which the lower and suffering order of Irish witnesses is distinguished. They generally appeared in coats and breeches the external decency of which, being hired for the occasion, was ludicrously contrasted with the ragged and filthy shirt which Henry Deane Grady, who was well acquainted with the inner man of an Irish witness (though not without repeated injunctions to unbutton), at last compelled them to disclose. The cross-examinations of this gentleman were admirable pieces of the most serviceable and dexterous extravagance. He was the Scarron of the bar; and few of the most skilful and practised of the horde of perjurers whom he was employed to encounter, could successfully withstand the exceedingly droll and comical scrutiny through which he forced them to pass. He had a kind of "hail-fellow-well-met" manner with every varlet, which enabled him to get into his heart and core, until he had completely turned him inside out, and excited such a spirit of mirth, that the knave whom he was uncovering could not help joining in the merriment which the detection of his villany had produced. Lord Norbury, however,

when he saw Grady pushing the plaintiff to extremities, used to come to his aid and rally the broken recollections of the witness. This interposition called the defendant's counsel into stronger action, and they were as vigorously encountered by the counsel on the other side. Interruption created remonstrance, remonstrance called forth retort, retort generated sarcasm; and at length voices were raised so loud, and the blood of the forensic combatants was so warmed, that a general scene of confusion, to which Lord Norbury amply contributed, took place. The uproar gradually increased until it became tremendous—and to add to the tumult, a question of law, which plunged Lord Norbury's faculties into complete chaos, was thrown into the conflict. Grady and Norcott shouted on one side, Wallace and Gould upon the other; and at last Lord Norbury, the witnesses, the counsel, the parties, and the audience were involved in one universal riot, in which it was difficult to determine whether the laughter of the audience, the exclamations of the parties, the protestations of the witnesses, the cries of the counsel, or the bellowing of Lord Norbury predominated. At length, however, his lordship's superiority of lungs prevailed; and like Eolus in his cavern (of whom, with his puffed cheeks and inflamed visage, he would furnish a painter with a model) he shouted his stormy subjects into peace. These scenes repeatedly occurred during the trial, until at last both parties had closed, and a new exhibition took place. This was Lord Norbury's monologue, commonly called a charge. He usually began by bestowing the loftiest encomiums upon the party in the action against whom he intended to advise the jury to give their verdict. For this the audience were well prepared; and accordingly, after he had stated that the defendant was one of the most honourable men alive, and that he knew his father and loved him, he suddenly came with a most singular emphasis, which he accompanied with a strange shake of the wig, to the fatal "but," which made the audience, who were in expectation, burst into a fit of laughter, while he proceeded to charge, as he almost uniformly did, in favour of the plaintiff. He then entered more deeply, as he said, into the case, and flinging his judicial robe half aside, and sometimes casting off his wig, started from his seat, and threw off a wild harangue, in which neither law, method, nor argument could be discovered. It generally consisted of narratives connected with the history of his early life, which it was impossible to associate with the subject, of jests from Joe Miller, mixed with jokes of his own manufacture, and of sarcastic allusions to any of the counsel.

who had endeavoured to check him during the trial. He was exceedingly fond of quotations from Milton and Shakspeare, which, however out of place, were very well delivered, and evinced an excellent enunciation. At the conclusion of the charge he made some efforts to call the attention of the jury to any leading incident which particularly struck him, but what he meant it was not easy to conjecture; and when he sat down, the whole performance exhibited a mind which resembled a whirlpool of mud, in which law, facts, arguments, and evidence were lost in unfathomable confusion. To conceive what Norbury really was, and his stupendous extravagances, it would be necessary to see him—to have witnessed the prodigy itself. In his capacity of judge, sitting in full court with his three coadjutors about him, he was almost as ludicrous as in his more tumultuous office of jester at *nisi prius*. In his person and that of Judge Mayne the court presented at one time a most amusing and laughable contrast. Never was Rochefoucault's maxim, that "gravity is a mystery of the body to hide the defects of the mind," more strongly exemplified than in the solemn figure which sat for many years at Norbury's left hand in his administration of the law—by the profound stagnation of his imperturbable countenance, which improved on Gratiano's description of a grave man, and not more in stillness than in colour resembled "a standing pool"—by a certain shake of his head, which, moving with the mechanical oscillation of a wooden mandarin, made him look like the image of Confucius which is plastered on the dome of the Four Courts—by his long and measured sentences, which issued in tones of oracular solemnity from his thin and ashy lips—by his slow and even gait, and systematic and regular gesture, Judge Mayne had contrived, when at the bar, to impose himself as a great lawyer on the public. When he became a judge—upon the day on which he, for the first time, took his seat—Jerry Keller, one of his contemporaries, and a bitter wag,* came into court, and seeing him enthroned in his dignity with his scarlet robes about him, leaned over the bar-bench, and said, stretching out his shrewd, sardonic face: "Well, Mayne, there you are! You have been floated into port by your gravity, and I have been sunk and shipwrecked by my levity!"

This pragmatICAL judge, who was considered deep while he was only dark and muddy, was fixed, as if for the purpose of contrast, beside Lord Norbury; but so far from diminishing

* See page 318.

the effect of his judicial drolleries, the vapid melancholy of the one brought the vivacity of his companion into stronger light. In truth, the solemnity of Judge Mayne was nearly as comical as Lord Norbury's humour; and when seeing a man enter the court who had forgotten to uncover, Judge Mayne rose and said: "I see you standing there, like a wild beast, with your hat on," the pomp of his utterance, and the measured dignity with which this splendid figure in Irish oratory was enunciated, excited nearly as much merriment as the purposed jokes and ostentatious merriment of the chief of the court.

Nothing, not even Lord Norbury, could induce his brother judge to smile. His features seemed to have some inherent and natural incompatibility with laughter which the Momus of the bench could not remove. While peals rang upon peals of merriment, and men were obliged to hold their sides lest they should burst with excess of ridicule, Judge Mayne stood silent, starch, and composed, and never allowed his muscles of rusty iron to give way in any unmeet and extra-judicial relaxation. This union of the *allegro* and *penseroso* was invaluable to the seekers of fun in the common pleas, and it was with regret that the merry public were informed that Judge Mayne had been advised by his physicians to retire from the bench and take up his residence in France. He went, it was stated, to Paris, where he used occasionally to walk, in the brilliant afternoons of that enchanting climate, in the garden of the Tuilleries; and Scott's "Quentin Durward" being then in vogue, Judge Mayne was taken for the spectre of Trois Echelles.

It is perfectly evident that such judges as the foregoing were ill calculated to inspire a mind like O'Connell's with much respect. Elevated to the bench as they had been for their unscrupulous services and corrupt subserviency at the time of the Union, they excited in O'Connell's patriotic mind loathing and even abhorrence. They were shufflers, traitors, and ermined pettifoggers. This is quite evident alike from their origin and their acts. Hence the terrible invectives which O'Connell sometimes poured upon their guilty heads. O'Connell may be blamed for the vehemence of his philippics, but in forming a judgment of his conduct, we must take into consideration the noxious character of the dignitaries against whom he inveighed. Their corruption is beyond all doubt. The judges of that day were mere tools in the hands of an unscrupulous aristocracy.

The place of Judge Mayne was latterly supplied by Justice

Johnson; and then a scene of a different character, but still exceedingly amusing, was afforded. Lord Norbury was now most unhappily situated, for he had Judge Fletcher upon one hand and Judge Johnson upon the other. The former was a man of vigorous and brawny mind, with a rude but powerful grasp of thought, and with considerable acquirements both in literature and in his profession. He was destitute of all elegance, either mental or external, but made up for the deficiency by the massive and robust character of his understanding. He had been a devoted whig at the bar, and hated Lord Norbury for his politics, while he held his intellect in contempt. Dissimulation was not among his attributes—and as his indifferent health produced a great infirmity of temper (for he was the converse of what the Frenchman defines as a happy man, as he had a bad stomach and a good heart), he was at no pains to conceal his contempt for his brother on the bench. Judge Johnson, who occupied the seat on Lord Norbury's left hand, completed his misfortunes in juxtaposition. There was nothing whatever about Judge Johnson to be laughed at, although his bursts of temper might occasionally provoke a smile; but in adding to Lord Norbury's calamities he augmented the diversions of the court. He was less habitually dissatisfied than Judge Fletcher, whose characteristic was moroseness rather than irritability—but he had a vehemence and impetuosity about him which, whenever his sense of propriety was violated, he could not restrain. When the chief justice who was thus disastrously placed was giving judgment (if the hodge-podge which he served up for the general entertainment can be so called), the spectacle derived from the aspect of his brother judges furnished a vast accession of amusement. Judge Fletcher, indignant at all the absurdity which was thrown up by Lord Norbury, expressed his disgust by the character of bilious severity which spread over his countenance, of which the main characteristic was a fierce sourness and a scornful discontent. Judge Johnson, on the other hand, endeavoured to conceal his anger, and placing his elbows on the bench and thrusting his clenched hands upon his mouth, tried to stifle the indignation with which, however, it was obvious he was beginning to tumefy. After a little while, a growl was heard from Judge Fletcher, while Judge Johnson responded with a groan. But undeterred by any such gentle admonition, their incomparable brother, with a desperate intrepidity, held on his way. Judge Fletcher had a habit, when exceedingly displeased, of rocking himself in his

seat, and as he was of a considerable bulk, his swinging, which was known to be an intimation of his augmenting anger, was familiar to the bar. As Lord Norbury advanced, the oscillations, accompanied with a deeper growling, described a greater segment of a circle, and shook the whole bench; while Judge Johnson, with his shaggy brows bent and contracted over his face, and with his eyes flashing with passion, used, with an occasional exclamation of mingled indignation and disgust, to turn himself violently round. Still, on Lord Norbury went—until at length Judge Fletcher, by his pendulous vibrations, came into actual collision with him upon one side, and Judge Johnson, by his averted shrug, hit him upon the shoulder upon the other; when, awakened by the simultaneous shock, his lordship gave a start, and looking round the bar, who were laughing at the whole proceeding, discharged two or three puffs, and turning to the wall of the court, retaliated from the bench for the aspersions which had been cast upon him.

Such was Lord Norbury as a judge. In private life he had been always remarkable for his frugality—not to say stinginess. He was in the habit of stuffing papers into the old chairs in his study, in order to supply the deficiency of horse-hair which the incumbency of forty years had produced in their bottoms. At last, however, they became—even with the aid of this occasional supplement—unfit for use, and were sent by his lordship to a shop in which old furniture was advertised to be bought and sold. An individual of the name of Monaghan got one of these chairs into his possession, and while groping the hair and scrutinizing the contents, he made a discovery which appalled himself and threw the city into such a ferment, that the hubbub which distracted Dublin for some time subsequently could hardly be exceeded by that of Babel itself. Monaghan had been a clerk in an attorney's office, and knew Saurin's handwriting. He perceived by the superscription of a letter that it was written by the attorney-general, and on opening it he found the following words, addressed to a chief justice and a going judge of assize by the principal law officer of the crown. It proved clearly that the so-called "independence of the judges" is a ridiculous farce:

"Dublin Castle.

"I transcribe for you a very sensible part of Lord Ross's letter to me: 'As Lord Norbury goes our circuit,' says Lord Ross, 'and as he is personally acquainted with the gentlemen of our county, a hint to him may be of use. He is in the

habit of talking individually to them [the gentlemen of the county] in his chamber at Philipstown, and if he were to impress on them the consequence of the measure [Emancipation], viz., that however they may think otherwise, the Catholics would, in spite of them [the gentlemen of county], elect Catholic members, if such were eligible; and that the Catholic members would then have the nomination of sheriffs, and in many instances perhaps of the judges, and the Protestants would be put in the back ground as the Catholics were formerly, I think he would bring the effect of the measure home to themselves, and satisfy them that they could scarcely submit to live in the country if it were passed.' So far Lord Ross.* But he suggests in another part of his letter, 'That if Protestant gentlemen who have votes, and influence, and interest, would give these venal members to understand that if they will purchase Catholic votes by betraying their country, they shall infallibly lose theirs' [their own votes], 'it would alter their conduct, though it could neither make them honest or respectable.' If you will judiciously administer a little of this medicine to the King's County and other members of parliament that may fall in your way, you will deserve well. Many thanks for your letter and its good intelligence from Maryborough. Jebb† is a most valuable fellow—and of the sort that is most wanted.

Affectionately and truly yours,

"WILLIAM SAURIN."

This document was seized on by O'Connell to prove the fact, which was often insisted on, that poison had been poured into the highest sources of justice. It astonished the Protestants that a man so cautious and deliberate as William Saurin, should put himself in the power of a man so loose and slobbering as Norbury, by entrusting him with a communication which was calculated to ruin the writer. On the first disclosure of the letter, the friends of Saurin loudly asserted that no constitutional lawyer—not to talk of the high priest of the constitution, as they considered Saurin—could have been guilty of writing such an illegal document. They scoffed at the idea; but afterwards, when the authenticity of the handwriting proved it genuine, and the trembling author did not venture to deny it, Robert Peel contented himself with declaiming against the mere impropriety of its production. The discovery of this

* Lord Ross was at this time a ferocious bigot, though before he got his title he had been liberal and even patriotic.

† Judge Jebb.

letter was very prejudicial to Saurin, as the aristocracy found it impossible with any decency to promote a man who perpetrated such an oversight; but it was of use to Lord Norbury. When his incompetence as a judge was mentioned in parliament, the Orange faction—who, to do them justice, are always faithful to the aristocracy—considered themselves bound by every principle of their association to support “the hanging judge;” and as a consequence of this, Goulburn, with the effrontery which distinguished him, pronounced a panegyric on his judicial excellencies, and stated, to the great and just indignation of the other judges of the common pleas, that in a difficult and complicated case he had evinced more knowledge and astuteness than any of them. To this encomium Robert Peel gave his sanction. Finding himself thus sustained by the Orange party in the House of Commons, Lord Norbury turned a deaf ear to all private solicitations of which his resignation was the object. At length O’Connell presented a petition for his removal, setting forth, among other grounds, that he had fallen asleep during the trial of a murder case, and was unable to give any account of the evidence when called on for his notes by the lord lieutenant. If O’Connell never rendered any other service to the Irish, his efforts to push Lord Norbury from the bench deserve their lasting gratitude. It is scarcely an exaggeration to say that Norbury, hearing cases in a dozing, dreaming, Lethæan sort of half consciousness, murdered the prisoners on whom he passed sentence of death. The recklessness of Irish life which has always characterized the English aristocracy, was never more glaringly conspicuous than in their nefarious efforts to baffle O’Connell and retain Norbury on the bench. It was boldly alleged in his defence that at eighty he was quite as fit to administer justice as at any former period of his life. “That is perfectly true,” said O’Connell, “because he was not fit to administer justice at any time.” His intellect, which had never been very able, was obfuscated, bewildered, and mummified by the growing infirmities of age. He could not remain awake, and was often at his wit’s end. The moment the defendant’s counsel began to speak, his empty head dropped helplessly on his unfeeling breast, and the sluggish old man was buried in droning torpidity, from which he started up with bewilderment only to plunge the next moment into the same slumberous lethargy. It was a kind of disease which, with all his skill, O’Connell could not cure.

Mr. Scarlett, to whom the petition of O’Connell was entrusted,

did not move upon it in consequence of a personal assurance from Peel that he would do everything in his power to induce Norbury to retire of his own accord. For although Peel ostensibly defended him as a friend and partisan, yet he was in reality ashamed of such an incubus on the bench. Norbury at last went so far as to intimate that he would consult his friends on the subject, but required a reasonable time to do so, which was granted. After the lapse of a month, Mr. Goulburn called again to know the result of his deliberations, when his lordship stated that Lord Combermere was his most particular friend, and that he had written to him at Calcutta. Mr. Goulburn, finding himself thus evaded, was a good deal at a loss what to do. But suddenly Mr. Canning became lord of the ascendant, and Lord Norbury, who never wanted cunning, feeling that under the new system he could not expect the support of ministers, wisely came into terms, and having stipulated for an earldom as a consideration, resigned in favour of Lord Plunket, who, like an unskilful æronaut, made a bad descent into the common pleas.

Before such judges as we have now described O'Connell was often obliged to plead the cause of the oppressed, and his contempt was naturally awaked by this forensic familiarity.—Perhaps no case ever occurred in which the corrupt character of the ermined slaves with whose presence the Irish were, in 1813, cursed by the English aristocracy, was so glaringly exemplified as in the trial of Hugh Fitzpatrick, printer and publisher of Scully's "Statement of the Penal Laws." The book brought out by this spirited Catholic—one of the most masterly treatises in the English language—had exasperated the whole host of Orange oppressors with unutterable fury. Their rage knew no bounds, and they determined to visit on the printer's head the penalty which (if any one were punishable) the talented author had incurred. At the period of the trial Fitzpatrick had been forty years in business. His character was irreproachable, his manners unassuming, and his mind educated. The aristocracy pounced upon a passage in the book—a few lines—a mere note. On this they based their prosecution. It related to a man named Barry, who had been found guilty by his nefarious judge, exculpated by subsequent circumstances, and illegally executed by the common hangman. The allusion to this governmental murder set the oppressors delirious with rage. Here is the note: "At the summer assizes, Kilkenny, 1810, one Barry was convicted of a capital offence, for which he was afterwards executed. This man's

case was truly tragical. He was wholly innocent; was a respectable Catholic farmer in the county of Waterford, in good circumstances. His innocence was clearly established in the interval between his conviction and execution; yet he was hanged, publicly avowing his innocence. There were some shocking circumstances, attending which the Duke of Richmond's administration may yet be invited to explain to parliament."

This passage the aristocracy tore out, held up, and raged, and clamoured about as an outrageous violation of truth. The men who made all this noise might be fairly addressed in the words of Swift:

" Ye paltry underlings of state—
 Ye *officers* who love to prate—
 Ye rascals of inferior note,
 Who for a dinner sell a vote—
 Ye pack of pensionary *peers*,
 Whose fingers itch for *writers'* ears—
 Ye bishops far removed from saints,
 Why all this rage—why these complaints?
 Why against printers all this noise—
 This summoning of blackguard boys?
 Why so sagacious in your guesses—
 Your *effs* and *tees*, your *ars* and *esses*.
 Take my advice, to make you safe,
 I know a shorter way by half—
 The point is plain—remove the cause."

The aristocracy knew that, according to an affidavit, Barry, when the crime was committed, was forty miles from the scene of offence. They could not deny that the truth or falsehood of the affidavit affirming this fact had never been investigated by the law officers of the crown.

The information stated that William Saurin came into court, and gave that court to understand that Hugh Fitzpatrick, "being a wicked, malicious, and ill-disposed person, and wickedly and maliciously contriving and intending to scandalize, traduce, and vilify his Grace the Duke of Richmond and his majesty's ministers in Ireland, . . . wickedly and maliciously did publish, and did cause to be published, in a certain book or pamphlet, a certain false, malicious, and seditious libel of and concerning his said Grace the Duke of Richmond, lord lieutenant of Ireland, and his majesty's ministers in Ireland, &c." Here the passage relating to Barry which we have given above was quoted, and the jury having been sworn, Saurin stated the information and plea. "This is not an ordinary libel," said Saurin; "it is not a sudden effusion of faction and

malignity sent in a hurry to a daily paper; but it is contained in a very elaborate work, prepared with extreme art and deliberation. It is contained in the second part of that work, which came out a considerable distance of time after the first part of the same had been published. It is entitled, 'A Statement of the Penal Laws which aggrieve the Catholics of Ireland, with Commentaries.' The number of grievances which are alleged in this book to exist are found sufficient to fill two volumes octavo. . . . This book has the audacity to represent, without any regard to truth or decency, that the administration of justice by judges and juries is partial; and the object of it is, to impress upon the mind of the Roman Catholics of Ireland that they have not the benefit of the laws, and cannot obtain justice under the present constitution and government of the empire. . . . I shall call your attention now to that part of the chapter where the author enters upon a distinct branch of the administration of justice. He introduces it with a libel on the lord lieutenant for the time being—whoever he may be; he applies this calumny in succession to every lord lieutenant. The governors may change, but the libel applies equally to every one who may hold the situation, upon the principle that as the government is now constituted by law, he must be of the Protestant religion: 'In cases where the Protestant murderer or robber has been convicted, his Protestantism has secured his pardon.' Where a Protestant has committed a murder or a robbery, his professing a religion which he disgraces is a sufficient recommendation to the lord lieutenant for mercy. Could we, gentlemen, have supposed that any man in this country would have been found base enough to assert so infamous a libel as that the murderer and the robber find a sanctuary, in the religion which he has disgraced, from the sentence of the law? It proceeds: 'All the local *soi-disant* loyalists fall to work; memorials and petitions are prepared and subscribed; vouchers of excellent character are easily procured—even Catholics dare not withhold their signatures lest they should be stigmatized as sanguinary and merciless. Thus the testimony appears unanimous, and the lord lieutenant readily pardons—perhaps promotes the convict, who in some instances becomes henceforth a cherished object of favour.' Good God! must not the author of this abomination have known that in the exercise of this painful and responsible duty, no applications—come from what quarter they may—have any influence with him who exercises it, if the guilt be clear? . . . It is impossible to dwell

upon this without feeling emotions which cannot be suppressed. It is a call upon the people to break out into civil and religious war; such topics would not be used and urged with such jesuitical art, labour, and perseverance as exist in every part of this work, if the object of the author were not to effect a revolution by the means of a civil and religious war. If I did not prosecute this crime, I should not deserve to hold the situation with which I am invested. I beg to impress on your mind that this is no forced or unnatural construction. The contrasted situation of the Roman Catholic convict is not stated in the broad language of the former proposition, because it would be too monstrous; but you will find the insinuation is equally broad: 'On the other hand, where the prisoner is a Catholic, he is destitute of this powerful agency and interference. His witnesses, as may be expected, are usually persons of his own condition and family. It is true, they may swear positively to an effectual and legal defence wholly uncontradicted—but not being Protestant (that is *respectable*, the epithet attached to everything Protestant), they commonly fail to meet with credence.' Gentlemen, I appeal to your own experience. Do you ever hear the counsel, or the jury, or the party ask a witness what his religion is, or attempt to discredit him on that account? it is a tissue of libels, the most shocking and mischievous that could be invented. 'Should he be convicted, a thousand rumours are immediately circulated to the prejudice of his general character—he is proscribed as a dangerous man, a leader of a faction; no grand jury interferes in his behalf, and he suffers death publicly protesting his innocence, fortified by the testimony of his confessor's belief of his veracity, and exciting the sympathy and regrets of the people.' This is a representation of a general conspiracy among the Protestant community to destroy a Catholic who has been convicted in a court of justice; insinuating to the Catholic population that they are denied mercy upon idle rumours, without even ascertaining from what source they proceed; representing the exercise of this important trust as a subject of continued and abominable abuse—yielding to the vouchers of character in favour of the guilty Protestant, and to idle rumour against the innocent Roman Catholic. This is the import of the chapter to which the particular libel in question refers. It commenced with a general libel on the office of the lord lieutenant by charging him with two crimes—pardoning the murderer and robber if Protestant, and suffering the innocent man to be executed merely because he is a Catholic. The

writer concludes this part by a note, to illustrate and prove by a fact and an example the imputation which he throws upon the government, and sufficient to inflame the Catholic mind to madness. . . . I think it proper, in this stage of my statement, to mention that I was last night served with a crown summons, on the part of the defendant, to attend as a witness in this case, together with the Right Honorable Lord Norbury, Sir Charles Saxton, and William Gregory, Esq., requiring me to produce and give in evidence the affidavits of James Rogers, Maurice Macartney, Thomas Hackett, sen., and Thomas Hackett, jun., and David Barry, and all other papers relating to Philip Barry, who was tried for highway robbery and executed for the same, as I should answer the contrary at my peril. I confess that my indignation was not a little excited at this attempt to pervert the trial of a culprit for a libel into an engine of faction, to furnish fresh matter for libels upon the administration of justice and the government of the country. They who advised the service of the summons, I am sure, could not but know that your lordships would not permit them to convert the court of king's bench into a court of parliament to try the king's government on the arraignment of the publisher of an infamous libel. They knew that it is impossible, according to the rules of law and the ordinary course of proceedings, to go into an examination of the matter pointed at in the summons. They knew that neither this court, nor I as the attorney-general, would suffer the course of the law to be so abused and perverted. It belongs to my office alone to put the subject on his defence for an imputed crime. It is not for the libeller to arrogate that privilege. . . . I shall say very little more upon the subject. But I cannot avoid taking notice that this work—"The Statement of the Penal Laws"—is reported to be the production of a barrister. I have no authority or evidence to warrant me to say it is so. I would to God I had the authority to say it is *not* so. But if it be the work of a barrister, I must take leave to say that I am sorry for it; because I should be sorry that there should be a barrister such a disgrace to his profession as the author of this mischievous and malignant libel. If he be a barrister, I trust he will learn, from the verdict of that jury and the judgment of the court, to appreciate the magnitude of the crime of which he has been guilty. Sheltered as he may be, under the anonymous character in which he has issued forth his poison to the public, from the sentence of the law, he will yet stand convicted in the mind of every honest man who loves the constitution and the peace

of the country as a great criminal and malefactor, and the remainder of his life cannot be so well employed as in making the best atonement possible for this violation of the law and the wicked attempt which he has made to disturb the peace and happiness of the country."

"My lords," said Denis Scully, rising in the court, "I have an observation to make on this subject. If the attorney-general will undertake to put the truth of the 'Statement' into a proper course of candid investigation, I can inform him who the author is—and I throw out this challenge to him."

"I did presume and had anticipated," said the attorney-general, "that such an attempt would be made—and I am now confirmed in my opinion. The gentleman knows right well, as he takes the matter upon himself, how and where to bring the acts of the government into question. . . . I am here prosecuting a libel, and would not stoop, even if the law would permit, in such a case to defend the government on the arraignment of the libellous author of 'The Statement of the Penal Code.'"

When Saurin ceased to speak, Bernard Higgins was sworn and examined by the solicitor-general.

"Where did you get that book?" asked Bushe.

"I bought it at Fitzpatrick's in Capel-street," replied Higgins.

"Does he keep a shop?"

"He does."

"What kind of a shop?"

"A printer and bookseller's shop."

"When did you buy that book?"

"On the 19th of June last."

"What is the title of it?"

"'A Statement of the Penal Laws which aggrieve the Catholics of Ireland, with Commentaries,' in two parts, part ii."

"Who purports to be the printer?"

"Hugh Fitzpatrick."

Having received these answers, Saurin sat down. O'Connell then rose.

"Who sent you to purchase this book?" asked O'Connell.

"Mr. Kemmis," replied Higgins.

"You are a clerk of his?" said O'Connell.

"I am," replied Higgins.

"You have read it?"

"I looked into a few pages after I bought it," said the witness.

"Do you ever go to the Castle?" asked O'Connell.

"Sometimes I do, with letters," replied Higgins.

"Who is the chief secretary at present?"

"I believe Mr. Gregory; I'm not certain."

"Try again," said O'Connell—"can you mention any other?"

"I believe Mr. Peel is."

"About how long has he been secretary?"

"I cannot say—it is not very long."

"Was he secretary when you bought that book?"

"I don't know."

"Do you know who are the king's ministers in Ireland—did you ever hear of them before?"

"No I did not."

"It is part of the subject here—do you know what is meant by the king's ministers in Ireland?"

"I do not. I suppose the lord lieutenant is."

"He is not the king's minister. Can you tell me who are the king's ministers here?"

"I cannot."

Somewhat similar evidence was given by a witness named Watson. The case for the crown having thus closed with Watson's testimony, Counsellor Burrowes rose and said: "This old man, Hugh Fitzpatrick, the defendant in the present case, is now for the first time arraigned at the bar of his country for publishing a scandalous and seditious libel; and it will be for you to decide whether he is to be immolated upon the altar of the offended laws, or offered up as a victim to appease the feelings of, as we are told, a brave and amiable viceroy. If the defendant has not offended the law, there is, I hope, no fear of his suffering such immolation; and although the prosecution goes to impeach the work entitled, 'A Statement of the Penal Laws,' and written to expose the severities which they inflict; and although upon such a subject, I address a jury exclusively Protestant, in a city where many Catholics of wealth and rank might easily be found—yet I know some of you, and I am convinced that if I satisfy your judgments that my client (abused and reviled as he is) is not guilty of the criminal intention imputed to him, whatever your feelings must be upon the general subject, you will not justify future charges of partiality by proving that the advocate of Catholic rights cannot have any chance before a Protestant jury, selected by the emissaries and instruments of the Castle. You are about to act in one of the most interesting cases of

alleged libel that ever has been discussed in this or any other country. You are called upon—on an information such as I shall state, supported by evidence that goes to a certain extent and no further—to pronounce a verdict of guilty against the traverser. Gentlemen, let not my eloquent and long-attached friend, when he comes to reply, mislead your judgments. He will not misrepresent me as making an appeal to your feelings to induce you to violate your consciences. No; I appeal to your sense of right—to your conscientious feelings. My appeal to you is to discuss this subject without prejudice or bias of any kind. Although I cannot call in aid of my defence the circumstance that the defendant is not himself the author of this work, yet whoever he may be, if I can discover in the pamphlet which has been given in evidence, any justification for the author, that will be a justification for the publisher—and I desire no more. You will not find the publisher guilty if you would not find the author guilty, because the former has exhibited an example of fidelity, which in itself is not to be reprehended, when he comes forward and braves the consequences of a government prosecution. . . . Having made these general and preliminary observations, I will turn your attention to the real source from which this work has originated. You are apprised that it purports to be ‘A Statement of the Laws which aggrieve the Roman Catholics,’ and the object is, by exposing to public view the nature, magnitude, and extent of the restrictions upon the Catholic body, and by demonstrating their unconstitutional tendency, to induce a repeal of them. It was written and published in consequence of its being giddily and rashly asserted by very high authority, that the restraints under which Roman Catholics laboured were very slight, few, and trivial. That statement was followed by another which was published in a government paper, and which was four or five times reprinted, giving but a partial statement of the disabilities under which the Catholics laboured, and inviting any man on the other side to show that they extended farther or deprived the subject of fair enjoyment. Was it criminal in the author to obey the summons, and take up his pen to disabuse the public, and show that however high the authority was which asserted that the Catholic grievances were few, slight, and trivial, he was mistaken? I conceive it was not only not criminal, but was laudable—it was a work which a proud man might bequeath to his posterity as the best legacy he could leave them; but while it was a laudable undertaking, I can scarcely conceive any more hazardous; because I defy

any man to publish his sentiments upon that subject without hurting the feelings of some who think that the Roman Catholics are too much indulged, and our constitution endangered by the privileges which they already enjoy. It is not an easy task to argue down inveterate prejudices connected with imagined interests; and he must encounter much hazard who is to be tried by the very men upon whose errors he animadvert. . . . Is it false and malicious to say that, generally speaking, the effect of those laws is to degrade and keep down the Catholics—to deprive them of their natural position in society, and destroy the effect of character, which is the most valuable property that any man can enjoy? Perhaps the author has exposed these prejudices too strongly; I do not adopt the sentiments of every part of the work. There may be a few, and but a very few, passages which I would have advised the author not to have written, or to have softened down: this is an acknowledgment which I should be compelled to make of every book, ably and ardently written, that I have ever met. But no man whose mind is not heated with prejudice upon this subject, can examine the book without feeling a sympathy with the author, and without ascribing to him a *bona fide* good wish to amalgamate all the people of the empire, and to render the constitution strong and impregnable, by uniting every sect in its defence. I never knew a cold-hearted man to do a noble act. This work is written with the ardour and spirit of a man who felt what he described, and the intent and bearing of the entire work is to be taken into consideration. Read the text with care and impartiality, and you will find that the object of the writer was a condemnation of the penal code. Reading it with that view, you cannot consider it dangerous or criminal—it is not calculated so much to alarm, as to make an impression on the Protestant heart favourable to the Catholic cause—relying upon and appealing to the benignity of their nature and their enlightened feelings. It is not imputed to any individual that he is influenced by an unjust, oppressive, or illiberal spirit: but the author complains that the anti-Catholic code of laws created and prolongs a hostile disposition—that they constitute an engine of power which is not to be trusted with safety to any body of men—that this power, being founded on jealousy and distrust, will probably be exercised with harshness in whatever hands it may be placed. Is not this a fair consideration of the subject? Does it reflect upon the Protestant creed—the Protestant people? Listen to the author himself: ‘This statement, extorted

from our sufferings, may possibly be termed an invective against our Protestant fellow-subjects. Far be such an intention from our thoughts. We solemnly disclaim it. We know the benignity of nature—the generous and enlightened feelings which belong to our estimable countrymen. We impute to *them* no innate hostility—no injustice—no oppression—no illiberal principles. But we complain of the anti-Catholic code of laws which necessarily produce a hostile disposition. We complain only of the injustice and oppression which these intolerant laws continually create and prolong—laws which invest the ruling class in Ireland with a monopoly of power not to be entrusted, with safety, to any body of men whatever—laws which taint the early thought, vitiate the education, pervert the heart, mislead and darken the understanding. Such a code in our opinion must necessarily corrupt the practice of those, whether Catholics or Protestants, whom it would profess to exalt, and must debase whom it would distinguish with excessive privileges and power.’”

Mr. Burrowes went on to explain the case of Barry: “On Saturday, the 5th August, 1809,” he said, “the assizes of Clonmel were to end, and on the Monday following the assizes of Kilkenny were to commence. Kilkenny is 25 miles distant. Barry, who was confined in Clonmel goal, received on Saturday a notice that he should be tried on Monday. His counsel came into court, and produced an affidavit swearing that there were five persons who resided in the county Waterford who would prove his innocence by establishing an *alibi*. The application to postpone the trial was refused. He was tried on Tuesday. His counsel stated that he would not go through the mockery of defending a man who had not an opportunity of producing his witnesses. His counsel then quitted the court. The noble judge tried him upon Tuesday—he was found guilty and executed. Why do I state this, and how am I to bring it to bear upon the case? It will bear upon it most distinctly, by establishing that the judge whose conduct was so revolting was probably the object of the passage under inquiry, and that the *shocking circumstances* alluded to were those which I have stated. The attorney-general has made a statement which, as far as I can collect it, goes to show that the noble judge had made inquiries—private inquiries—by which he was satisfied as to the guilt of the man, the infamy of the witnesses alleged to be absent, and the falsehood of the affidavit. Be it so. I do really wish that it could satisfactorily appear that the noble judge had sufficient ground for refusing the application. But it is

not stated that he refused to give credit to that affidavit by reason of anything that was openly said in court, but from something communicated by a person who was not sworn, and which was not made known to the counsel for the prisoner. I do not state—because I should not be allowed to prove—several affidavits briefed to me to establish the innocence of the man; but I confidently assert that if he was not duly tried, he is still to be deemed innocent of robbery, according to the humane spirit of our law, notwithstanding his conviction; and that he cannot be considered as duly tried if he had not sufficient notice of trial. Now, I say that this evidence would go forcibly to prove that the passage in question alluded to the noble judge.”

After some further observations from Counsellor Burrowes, another lawyer, named Burrowes Campbell, was called and examined by O'Connell:

“Do you recollect anything of a person of the name of Barry, who was tried in Kilkenny in the year 1820?”

“I do.”

“You grounded your application to postpone the trial of the unfortunate Barry on the affidavit?”

“My first application was made on the first day of the assizes—not on that affidavit, but on the grounds of which the judge had judicial cognizance—namely, the short time that the prisoner was in the county (Kilkenny), having been transmitted to take his trial from the last assize town, and the impracticability of procuring his witnesses on such short notice. The learned judge said he would not grant the motion; the trial must go on.”

“Was there any opposition made by the persons conducting the prosecution to the postponement you required?”

“None whatever. Lord Norbury asked was there sufficient business to employ the court that day exclusive of Barry's case; and on being informed that there was, he consented to postpone the case to the morrow only! I then drew Barry's affidavit, and moved upon it.”

“Did any magistrate of the name of Elliott interfere?”

“Yes; he was sitting in the bar-box when one of the bar mentioned to me that he (Mr. Elliott) knew three of the parties mentioned in the affidavit. I asked Mr. Elliott, in open court, if these parties resided at the distance stated, and he said they did. I therefore moved a postponement, to enable my client to procure their attendance; but the judge thought proper to refuse the motion.”

“What passed afterwards?”

“Some things which I do not wish to repeat, and therefore request you will not ask me if not material to do so.”

“However unpleasant, sir, it may be to you to answer or me to ask, my duty compels me to request an answer.

“I told the judge that I would not go through the mockery of a trial when I knew the man had not his witnesses; and that if the trial were called on, his lordship should defend the man himself. I accordingly threw up my brief, and left the court.”

“Anything more?”

“Yes; I received an authoritative mandate to attend the trial, which however I contemptuously rejected.”

“From whom did you receive it?”

“From the judge.”

“On what grounds did the judge refuse the application by affidavit?”

“He said he had communication with the magistrates, and that if a trial was to be postponed upon an affidavit *so complete* and professionally drawn as that I offered, the business could not be proceeded with, as prisoners would only have to employ counsel to draw an affidavit when they wished to put off their trials. *I asked his lordship what he would have said if the affidavit had been defective.*”

“Did you, after the conviction of this unfortunate man, make any application on his behalf to the judge who tried him in order to obtain mercy?”

“After the conviction I wrote a respectful letter to Lord Norbury, enclosing the voluntary affidavits of those persons who were to have been Barry's witnesses, in which they swore that *he was in their company, at a distance of forty-five miles, when the robbery was committed!* To this I never received any answer except a verbal one, which I cannot take upon me to say had been sent by his lordship. I then applied to the attorney-general.”

“Did you mention the circumstance to any person?”

“I did. I talked publicly of it in the hall of the Four Courts, and told it to everybody I met.”

“In speaking of it, did you represent it as an ordinary occurrence or otherwise?”

[Here the witness shook his head.]

Judge Day observed that the shake of the head was a sufficient intimation of his sentiments.

Mr. Campbell answered: “I looked upon it as otherwise;

and thought the judge's conduct in refusing to postpone the trial as contrary to law."

Mr. O'Connell having concluded the direct examination, the witness was cross-examined by the solicitor-general; but nothing new was elicited save as follows:

"Did you ever represent that pardon was refused to this convict because he was a Roman Catholic?"

"Never. Though I sincerely love the Roman Catholics and hope for their Emancipation, yet I don't know that they are so badly treated as that."

Mr. O'Connell (proceeding to re-examine the witness)—
"Not so bad! No; they are not *all* hanged! You have been asked whether you made the application to the judge and to the attorney-general on the same grounds as those stated in the former affidavit. Were there any other grounds?"

"I made it on the grounds of two affidavits—the one made by James Rodgers and three other persons named in the affidavit sworn to postpone the trial, stating that on the day charged in the indictment, the convict, Patrick Barry, was in their company at Kilcaunon, at the distance of forty or fifty miles from the place where the alleged robbery was committed, and that they never heard of his being accused of the robbery till after his trial. I sent the affidavits, with the memorial, to Mr. Saurin (attorney-general). I never imputed any censure to the Duke of Richmond, but to another and a different person. I mentioned the circumstance to every gentleman of the bar with whom I was acquainted."

Mr. Justice Day—"In what manner did you speak of it?"

"I always spoke of it *as a most shocking event.*"

Mr. O'Connell—"You had no doubt it was a shocking circumstance?"

"It was a most shocking circumstance."

Mr. Justice Day—"You say there was nothing imputable to the government?"

"Certainly not—that I know."

Mr. O'Connell—"Are you of opinion that the conduct of the judge was a fit subject for parliamentary inquiry?"

"I am; and I did at the time think so, and repeatedly said so."

"Did you not, by your letter to the attorney-general, offer to attend him, and give every further explanation concerning this illegal transaction, and did the attorney-general ever send to or call upon you?"

"I did make such an offer; *and I never heard further from the attorney-general!*"

“Pray, Mr. Campbell, was not this melancholy transaction a matter of public notoriety, and in everybody's mouth long before the publication of the ‘Statement of the Penal Laws?’”

“Oh, very long! I spoke of it publicly in November term, 1809. The ‘Statement’ was not published, as I believe, until May, 1812.

[The witness then withdrew.]

Mr. O'Connell remarked that the fact that Mr. Pole and Sir Charles Saxton were the secretary and under-secretary when the book was published, was admitted; and that, in November, 1812, when the information was filed, two other persons filled those situations.” The case having closed, he applied to be allowed to speak to evidence, as witnesses had been examined on both sides, and cited a case in point.

Chief Justice—“The practice is otherwise; we therefore, cannot break this rule, unless there is matter of law to be observed upon.”

Mr. O'Connell—“My lord, there is matter of law in this case as well as matter of fact.”

Chief Justice—“I do not conceive the right exists here, but I should have no objection to hear you if counsel for the prosecution consent.

Mr. O'Connell—“My lord, I shall not ask any indulgence from the counsel for the crown. If I have not a right to observe on the matter of law, which in this case is so intermixed and blended with matter of fact, I shall sit down.”

Mr. Justice Osborne—“I conceive that, with respect to the matter of law, the attorney-general has something—indeed I think he has a good deal to answer.

Mr. O'Connell—“Your lordship sees that the alleged libel is stated to be against the lord lieutenant, and his ministers acting under his authority; and it appears by admission that those ministers (as they are ignorantly styled by the pleader) were not the persons acting under the authority of the viceroy at the time when this information was filed. It is predicated of Mr. Peel* and Mr. Gregory.”†

With this quiet *slipping in* by Mr. O'Connell of the argument which he was not permitted to make as a speech, his part in the case ended! It is well that the circumstance of Mr. O'Connell's examination of witnesses has enabled us to present the foregoing details—showing what species of judges this unfortunate country was cursed with under our English rulers.

* The late Sir Robert Peel, then secretary for Ireland.

† Then under-secretary, father of the present member for Galway.

Mr. Burrowes, Mr. O'Connell's senior in the case we have quoted from, had been heard after the closing of his client's case. The solicitor-general now replied, and the chief justice having subsequently charged the jury, they retired for a short time, and then returned with a verdict of "Guilty." Mr. Burrowes objected to the charge that had been given them. "The learned judge," he said, "ought not to have directed the finding of the averments."

In pursuance of his objection, Mr. O'Connell, at the sitting of the court on the following day (Thursday, 11th Feb., 1813), rose to make an application to set aside the verdict which had been obtained in this case, as originating in the misdirection of the learned judge who had charged the jury, and as being against both law and evidence. The attorney-general just came into court when Mr. O'Connell had proceeded thus far, and called on Mr. Fitzpatrick to appear in person. Mr. Fitzpatrick immediately came into court, and the attorney-general moved that he should then stand committed. Mr. O'Connell observed, that such a motion on the part of the right honourable attorney-general was just what had been expected. The court complied with the attorney-general's motion, and ordered that Mr. Fitzpatrick should stand committed. Mr. O'Connell then resumed. He said he made his motion upon the grounds alleged in the notice which had been served on the other side. The first of which was, the misdirection of the learned judge who had charged the jury; and the second ground was, that it should not be permitted to stand, inasmuch as it was contrary to law and against evidence. He said that in case this motion should be refused, it was his intention to submit a further one in arrest of judgment, grounded on the pleadings alone; but as the two motions were perfectly distinct, and as the second one would not become necessary unless the first was refused, he should confine himself solely to that which he had for its object—the setting aside the verdict." O'Connell went on to add that, "Besides the two grounds which he had mentioned, there were also two others—viz., that the defendant had been deprived of the benefit of a second counsel being permitted to address the jury although he had produced evidence, which he (O'Connell) contended was his right; and that the information charged the defendant with having libelled the Duke of Richmond and his majesty's ministers in Ireland acting under his authority; when, in fact, if any imputation of the kind could be attributed to the note which formed what was termed

the libel at all, it must have been intended to allude to those who had acted—not those who were now acting; for every person knew that those nondescripts who were entitled his majesty's ministers, had been changed between the execution of Barry and the publication of the book—and again, between the publication and the filing of the *ex-officio* information by the attorney-general.

“The information had been filed in Michaelmas term; it contained two counts, the second of which was wholly out of the question. The word *farmer* had been omitted—and in a prosecution of this nature, the defendant was fully warranted in taking advantage of anything in his favour; when the point had been made at the trial, it was not contested. The second count was therefore wholly out of the case. This information stated that Hugh Fitzpatrick, being a person of a bad, malicious, and wicked disposition, &c., and desiring to stir up and create a rebellion, &c., did, on the 19th of June last, publish a libel—a false, and scandalous libel—*of and concerning* his Grace the Duke of Richmond, &c., and *of and concerning* his majesty's ministers in Ireland, *acting* under the authority of the said lord lieutenant, &c.’ It then recites the libel itself, which is of the following tenor: ‘At the summer assizes of Kilkenny, in 1810, one Barry was convicted of a capital offence, for which he was afterwards executed. This man's case was truly tragical; he was wholly innocent—was a respectable Catholic farmer in the county of Waterford. His innocence was fully established in the interval between his conviction and execution; yet he was hanged, publicly protesting his innocence! There were some shocking circumstances attending this case, which the Duke of Richmond's administration may yet be invited to explain to parliament.’ After the libel, close follows the *inuendo*—‘meaning that the said Barry did not obtain pardon because he was a Catholic, although his innocence was fully proved to the knowledge of the said Duke of Richmond, &c.’ Such was the information which had been filed by his majesty's attorney-general, upon which a jury returned a verdict of guilty, and in consequence of which Mr. Fitzpatrick then stood in actual custody.

“The first of the objections to allowing the verdict to stand, turned upon what was conceived to be the misdirection of the learned judge's charge, which had left it to the jury to decide upon the truth and applicability of the last *inuendo*, which was described as the *meaning* of the passage—that the said lord lieutenant had been advised by his ministers to refuse

pardon to a person where innocence had been made apparent after his trial and condemnation, and that such pardon had been accordingly refused in the face of a conviction of innocence, and solely because he was a Catholic. This *inuendo* contained much new matter which had not been spoken of before. Of all this there had been no previous averment; the information contained only an assertion of the intention being to vilify. There was not a word in the libel concerning advice received by the lord lieutenant, or of any action of his in consequence of it; yet that such averment was necessary, there was the strongest authority to prove. In the case of the King against Home, where the opinion of the twelve judges of England was asked by the House of Lords, and was delivered by the Lord Chief Justice De Grey, his lordship states (reported, Cooper, page 683), that where a libel is of such a nature, either from its being ironical, or—from having an allusion to circumstances not generally known—that the words in which it is given do not of themselves convey all that is meant and understood—it is necessary that the things so understood and not expressed, should be laid before the jury; but that a jury cannot take cognizance of them unless they be upon the record, where they cannot be unless by an averment. So that either the charge of the court upon the trial of Mr. Fitzpatrick must have been wrong, or the opinion of the twelve English judges, expressed by Lord De Grey, must be so. It could not be said that the *inuendoes* themselves were in reality averments; an authority (2nd Salkeld, page 315) was perfectly conclusive on this subject, an *inuendo* being there defined negatively as not being an averment, but, on the contrary, a production, *id est*, &c.

“It being thus ruled that a jury could not take cognizance of the matter contained in an *inuendo* without there having been a previous averment, it followed that no evidence in support of the *inuendo* in the present case should have been allowed to go to the jury—or if it had been so allowed, that the judge should have desired them to discharge it entirely from their minds previous to giving a verdict. This, however, had not been done; on the contrary, the court had desired the jury to consider the information precisely as if the averments had been regularly made; it was universally allowed that averments were necessary to let in evidence of *meaning*, even where such evidence could be produced. But here, in point of fact, the crown did not go into any evidence to show the meaning or prove the *inuendoes*; and, with great respect,

he conceived that the jury should have been told there was no evidence in support of the *inuendoes*; and, directing them to find the truth and applicability of those *inuendoes*, there being no averments, was travelling out of the limits prescribed by the law, and recognized by Chief Justice De Grey and the twelve judges of England; and therefore he conceived that the charge of the learned judge had been erroneous, and contrary to law.

“The next ground to which he should call the attention of the court was, that there existed a material variation, as to a matter of fact, between the evidence given and admitted, and the information. The information stated, that the libel had been published of and concerning the persons acting as his majesty’s ministers in Ireland—that is, of the persons so acting at the time of the publication of the libel. Now, it was obvious that this was an anachronism of the grossest kind. The circumstance which gave occasion to the libel had taken place in 1809; the book had been published in 1812, and the ministers of these two periods were entirely different. How, then, could the libel be said to regard the ministry existing at the time of its publication? It was impossible that it could not exist without entirely vitiating the information.

“He now came to the third ground for the motion, and upon that he should be still more brief than he had been on the other two; it related to the trifling advantage which he might have derived from being allowed a counsel to speak to evidence. It was very confidently relied upon, that there could not exist any doubt as to the right of the defendant, evidence having been produced on both sides. The objection upon the trial came from a quarter to which no reply could be made—namely, the court; had it been otherwise, it might have been easily and satisfactorily shown that the reason given for this decision did not apply. Formerly it had been the practice, if the defendant had evidence, to allow him the benefit of counsel to speak to that evidence. The judges of that court (the king’s bench), however, had thought proper to alter this practice—they determined that no second counsel should be heard upon the part of the defendant, and they gave as a reason for coming to this decision, that the defendant’s counsel, in opening his case, speaks to the plaintiff’s evidence and observes upon his own. It was also a part of the rule, that unless the defendant goes into evidence, the plaintiff has no right to be heard by a second counsel; yet the very court he was then addressing, and which had made the rule, had heard counsel for the crown twice in the case of the *King v.*

Kirwan, although there had been no evidence produced by the defendant. It must naturally be supposed that the court had determined that in civil cases no second counsel should be heard, but that criminal ones did not come within the rule; otherwise it would be, in fact, granting to the crown an additional and undue advantage. Lord Kenyon, in the case of the *King v. Abbington* (1st Espina, 136), condemns the practice.

“Considering that the crown had the benefit of the great and unrivalled talents of the solicitor-general, who was to reply—an advantage which nothing could have procured for the defendant, and which nothing within his power could balance; as the learned gentleman who had opened his case could not be heard a second time—and that it would have fallen to his (Mr. O’Connell’s) lot to have spoken to evidence, his client certainly had lost but a small advantage; such as it was, however, he had a right to it; but the court had thought proper to overrule that right, and in doing so had referred to the case of the *King v. Kirwan*. Coupling the decision in the case referred to with that on the late trial, it came to this—that the rule does apply to take away the advantage from the traverser, and that it does not apply to take it away from the crown. This was a position which he was sure their lordships would not think of establishing, and unless they did so, the right of his client to the benefit of a second counsel was unquestionable; therefore, the denial of it by the court rendered the trial faulty in respect to the manner in which it had been conducted, and consequently the result of it nugatory.

“He had now arrived at the fourth objection, and one of much importance; it was, that the jury had, upon the most material part of the information, found the verdict without evidence, and even contrary to evidence.” Mr. O’Connell here read over the paragraph forming the libel, and contended that there had not been sufficient evidence to connect any part of it as a libel with the name of the Duke of Richmond. “This had been attempted, indeed, by connecting the circumstance mentioned in the libellous note, with passages in the text to which a construction had been given favourable to the inference wished to be drawn from the whole. It was first said that the passages thus read stated that government was influenced in granting pardon to criminals, or in denying it, by their religious persuasions; and it was then concluded that the note was intended to give an instance of the partiality

alluded to in the text; and had the text been examined more clearly, it would have appeared that the thing expressed was, that Protestant criminals had a greater facility in procuring attestations of previous good character—or of other circumstances such as usually entitle to pardon—than Catholics, and consequently that the lord lieutenant, so far from having been accused, was justified in granting pardon more frequently to the one than the other. The note, then, being an instance of what was asserted in the text, could not reflect, by any means, upon the lord lieutenant. As to the concluding part of the note, which stated that the Duke of Richmond's administration might yet be invited to explain certain circumstances to parliament, it only meant that the documents for regular investigation being in possession of the ministry, could not be procured without inviting its aid.

“Had the trial been had before an unbiassed jury, it was very probable that the result would have been very different. It was very likely that they would not have been content with the mere *assertion* of the attorney-general, that the note which formed the subject of the libel was intended to vilify the lord lieutenant, and his majesty's ministers in Ireland acting under his authority; they might possibly require an explanation of *who those persons called ministers actually were*, before they convicted a respectable and honest man of libelling them, merely because the attorney-general had thought fit to say they were libelled. *It was matter of Irish history, that when these state prosecutions were carrying on against a Catholic of this country, not one man of his own religion was suffered to remain upon the panel.* This had been stated by the respectable and learned gentleman who had opened Fitzpatrick's case, and was not attempted to be denied. It was observed, indeed, that one Catholic name had happened to be put upon the panel through mistake; this fault, however, was not intentional; it had occurred by accident, and no doubt the apology which such a trespass required was made. He was not now stating anything improbable or unwarranted, for it was a well-known fact that the persons who had the appointment of the jury had given a solemn and deliberate *pledge* of their dislike and hatred of Catholics, and that it was to this avowed hostility to so numerous and loyal a class of his majesty's people that they owed their election. Thus, in a case where a Catholic is tried upon a charge of asserting that the Catholic subjects of this country have not equal justice done them, special care is taken that not more than *one* Catholic shall be

put upon the panel, and that he shall not be of the jury, but that the accused shall be tried by twelve men of a different persuasion from himself; and some of them, perhaps, strongly imbued with prejudices unfavourable to himself and his religion. Had the question been one of property, such a disgraceful circumstance would not have taken place in the city of Dublin, where as many upright, wealthy, and respectable Catholics were to be found as could be selected from the ranks of their Protestant fellow-subjects."

Mr. O'Connell now shortly recapitulated his arguments, and submitted to the court that he had made out a case sufficient to induce their lordships to set aside the verdict; and if Mr. Attorney-General thought it prudent to file a fresh information, that a new investigation should be entered into.

The chief justice said that Mr. O'Connell had made much more of the argument than he thought could have been done. Yet the motion was refused.

A suggestion having been made that it should remain over till next term, O'Connell said: "But, my lord, Mr. Fitzpatrick is in actual custody; it would be very oppressive that he should remain in confinement the whole of vacation, when it is strongly relied upon there are sufficient grounds to arrest judgment."

Mr. O'Connell then prayed the court that Mr. Fitzpatrick's recognizance might be immediately taken, in order to avoid his remaining in custody all night. He was a respectable man; there was no danger but he would be forthcoming. He presumed that his own recognizance would be sufficient.

The court after some consideration required security—himself in £1,000, and two others in £500 each.

Mr. O'Connell—"You were already offered to have that requisition complied with upon fair terms. The bail shall be immediately produced."

It is no exaggeration to say that such a trial as the preceding could only take place in a country which, like Ireland, is governed exclusively by "amiable and benevolent noblemen." In other countries, such as France and Austria, where power is concentrated in the hands of an individual, whose life is responsible for the misfortunes of his people—under a despotism—such a mockery of justice would be prevented by the despot's fear of assassination; but in a country which has the misfortune to be governed by an aristocracy (where millions die of hunger—and no one is to blame), tyranny "works its wantonness in form of law" in a manner so exasperating, torturing, and cruel, that nature itself revolts against it in horror.

This aristocracy—the three or four hundred titled men who govern Ireland—should have been dashed at in O'Connell's invective; and, scorning such vermin as the attorney-general, he should have struck at the proud masters of that minister. To be ameliorative of popular misery—to do good—agitation must be more republican than it has ever been in Ireland—than perhaps it could be in 1813. The Irish at that time—like a feeble and stumbling child clutching the robe of its nurse—felt themselves miserable unless when holding on to the tinsel-robe of titled dignity, and aiding, by the proud presence of aristocratic countenance, their tottering steps on the difficult road to freedom. Their want of manly self-reliance was their sorest impediment. When the Catholic aristocracy glittered in their popular halls, the sun seemed to cheer their cause with brighter effulgence. When that aristocracy withdrew, the wintry cloud of adverse fortune wrapt their blackening prospects with a funereal shadow. This was their weakness—and their vigilant enemies thoroughly understood this unmanliness of the popular mind. They played upon this foible. A harsh chorus of dissonant oburgation burst from the distorted mouths of the hell-hounds of the government press when the Catholic lords flocked out of the people's halls—that is, when the populace adopted a line of honest politics. Would O'Connell consent to betray the interests of religion, the Catholic peerage would have flocked around him, and ducked, and fawned, and beslavered him with slavish adulation. When he rejected the Veto,* disguised in Grattan's bill of 1813—when he vindicated the independence of his Church, the Catholic aristocracy abandoned him, and the Catholics were pelted with a driving tempest of venal vituperation.

O'Connell was galled by such scurrilous invectives as the following: “This Catholic Board, or this ‘august body,’ as they nick-name themselves,” said the *Hibernian Journal*, “are sanctioned by law to hold their meetings, for no other purpose under heaven than to prepare petitions to the legislature on behalf of the Irish Roman Catholics. While they confined themselves to this line, as chalked out for them by the legislature, the respectable Catholics attended. At their head were the Lords Fingal, Netterville, and Trimleston, &c. But when once the body had forgot their allegiance to their prince by foully and scandalously libelling him—promulgating

* The word *veto* signifies “I forbid.” Had the Veto become law, it would enable the government to *forbid* the elevation of patriotic priests to the dignity of bishops.

the grossest falsehoods of him, their best friend—all of which were afterwards publicly contradicted by no less Catholic authority than Lord Fingal himself, with Lord Kenmare and Sir Francis Gould, &c.—every nobleman and gentleman turned his back on the miserable party which emanated such lies, and since that time have left the Catholic Board an excrescence on those laws out of which it grew.”

Thus the Catholics might make their choice. Did they renege their principles, they were cheered by the smiles and approval of their own peerage—if they were faithful to their religion, they were deserted by their aristocracy and distressed and harassed with galling invectives from the Protestant press.

“I once asked a noble lord, son of a Union peer,” says O'Neill Daunt, “whether any of his relations were Catholics.” “Oh! none,” he replied, “except the bastards!” The Irish aristocracy are, with few exceptions, English in their origin and Protestant in creed; and, as a consequence, their existence is incompatible with the prosperity and freedom of Ireland. Whatever is bad, bigoted, or unnatural in the aristocracy, is duly adopted and exaggerated by their industrious imitators—the landed gentry and small squires—a circumstance which has a most mischievous effect on the national prosperity, and poisons the springs of social happiness. The three or four hundred peers are the destruction of the country, as they were the deadliest enemies of Daniel O'Connell. By their base schemes, cruel stratagems, and nefarious agents, his life was embittered—his death was accelerated. They blighted our industry by their idleness, and our morals by their gross depravity. Indebted as they were, like every aristocracy, to popular ignorance for their pernicious existence, they hated O'Connell, because the tendency of his orations was to educate the public mind. In his powerful orations, O'Connell often taught that governments are established for the benefit of the multitude, which was entirely at variance with the principle of the aristocracy that “the many are created for the advantage of the few.” In consequence, they could not fail to loathe O'Connell and they did, of course, thoroughly and heartily hate him. They were the bitterest enemies of him and of the people whom he served. But, to do them justice, the hatred of such men was an honour to its object. Lord Digby may serve as an example. He possessed, and we believe still possesses, a sweep of territory containing 30,000 acres, constituting a quarter of the King's county, and occupied by 4,532 persons. German princes, who enjoy a voice in the cabinets of Europe, do not always possess

so wide a principality as Lord Digby. The tenantry on the broad acres of Lord Digby were buried in such appalling squalor—their hungry and tattered indigence was so profound, that only one was rich enough to serve on a petty jury.—Thus the “side of a country,” the population of a principality, were destitute of the right guaranteed by the constitution—trial by jury. In a territory comprising the quarter of a county, amongst 4,532 people, there was only one jurymen to be found. Throughout this vast tract of land the British constitution was a mockery! The inhabitants were as destitute of its privileges as the inhabitants of Barbary. This was a consequence of insecurity. Lord Digby would give no leases, a circumstance which not only plunged his tenantry into poverty, but deprived them of the benefits which they should enjoy from the laws they were subjected to. The wealth of a province was often spread on the sumptuous board of this absentee nobleman, and his tenantry, as a consequence, were commonly in want of food to satiate the cravings of nature.

In the bitter enmity of such powerful aristocrats, we find the source of the hostility—the pelting tempest of virulent invective which, at every pace of his career, dashed full in the face of O'Connell. It is only by understanding his enemies that we can appreciate himself. His enemies were the titled aristocracy of Ireland and England—the most formidable confederacy that ever crushed liberty or trampled on national rights. Could we measure their colossal power, we should be able to estimate the dark shadow which they flung upon him—we should understand what O'Connell had to encounter. Unable to do this, we shall content ourselves with observing that the world never saw so powerful a confederacy as the British peerage; from which it would seem to follow, that the tribune who confronted and discomfited them must be the most extraordinary man that ever lived.

As to the *Irish* aristocracy, their evil destiny has placed them in such close proximity to England, that during the long lapse of 700 years they have been uniformly traitors to their native country—their hearts English, their interests alien. Hence they have lived in England for the most part—a voluntary exile which estranges them from Ireland, and physically shuts them out from intercourse with Irishmen—from sympathy with Ireland. This is their misfortune and the source of that hostility which O'Connell always experienced from them. The use of an aristocracy is to rule—it was originated for that purpose; but an aristocracy so alien and incom-

petent as that of Ireland, is incapable of government. When O'Connell set them aside—when for a time he tore their power from their grasp, and wielded it in the open daylight like a monarch, their vexation and rage were satanic. The miseries of Ireland have been often attributed to absenteeism; but in assigning this as a cause, our politicians mistake the consequences of the evil for the evil itself. The aristocracy of Ireland is not bad because it is absentee—it is absentee because it is bad; its affections have never been won by the magic beauties, nor its sympathies called forth by the unmerited sufferings of this magnificent country. The more elegant and corrupt society of England constantly invites it to abandon Ireland and take up its abode in its original country—and it always complies. In every other aristocracy the corrective is contained, which tempers its selfishness if it does not arrest its aberrations—the aristocracy may not love, but it must fear the people. Standing in need of their services, it performs from calculation what it would not effect from sympathy. It limits oppression lest it awaken revolt. As it derives advantages from the national strength, it does not seek to weaken and exhaust the population, and performs from clear-sighted selfishness acts which wear the smiling features of benevolent generosity. Unfortunately the Irish aristocracy neither fear danger nor hope for benefits from the Irish. Having the soldiers of England to enforce, and the press of England to defend its oppression, it can indulge its cruellest instincts without a thrill of apprehension. Smiling contemptuously at the threats, clamours, and complaints of the people, it has but to beckon for the troops of England to sweep away popular hostility, and drown the voice of discontent in the thunder of artillery; and when patriotism is subdued and nationality drowned in its pure blood, the aristocracy continue to receive their rents as if nothing had interrupted the unbroken tenor of their guilty way.

The power exercised by the Irish aristocracy is perfectly unexampled in the history of the world. England, sharing her dominion with them, has spared them the expense attendant on authority, and furnished them with all the rights, privileges, and guarantees they could desiderate. She has enabled them to employ the instrumentality of freedom for the practice of oppression. Ireland has been in this way the bleeding victim of a twofold tyranny. The Irish aristocracy and the English government, mutually aiding one another, have combined to crush the Irish, and render them the most wretched

and impoverished—the most unfortunate and miserable of the whole human race.

As an illustration of the character of the Irish aristocracy we may cite the example of the Earl of Bandon. The townlands respectively named Castletown and Shanavagh, situated in the county Cork, were part of the estate of the Earl of Bandon—a man of high tory politics and warm evangelic zeal. Kinneigh, the parish in which Castletown is situated, is a wild upland tract, rising into abrupt and rocky eminences abounding in furze and coarse herbage. The hills are savage without grandeur; there is nothing picturesque in their outlines, and none of them ascend to any considerable elevation. There is a barn-like church, and in its immediate vicinity stands one of the inexplicable round towers, seventy feet high.

The Catholics in this district held their land from a middleman, who was the immediate tenant of the Earl of Bandon. Some of them paid their rents from the proceeds of illicit distillation, and the necessary consequence of such a system was the demoralizing of the parish to a considerable extent. The trick and chicane indispensable to those who carry on a contraband trade are not its worst moral results. Men who live in habitual defiance of law become desperate, and blood has been shed on the estates of Lord Bandon in defence of the pottheen stills. Undoubtedly the blame of these evils should not be cast exclusively on the people. Between the landlord and the middleman, they lay, as it were, between the hammer and the anvil, and had recourse to expedients which were illegal in order to pay rents which were exorbitant. There were many of the tenantry, indeed the great majority, who had no connexion with the stills, and who were in truth very fair average characters.

The middleman from whom the people held their farms died—and their leases all expired with him. His term was for his own life; the townland at his death reverted to the Earl of Bandon. Here was a glorious opportunity to plant a Protestant colony. The noble earl rejoiced with an exceeding great joy at the facilities now presented for serving an ejectment on idolatry, and inducting a colony of true believers into the evacuated districts. The expulsion of so many families excited public interest—the sweeping evictions were mentioned in parliament by a member who professed liberal principles, who was coolly informed by the noble proprietor that his sympathy was quite thrown away, inasmuch as the old occupants of the townland were at that moment snugly enjoying

their ancient homes unmolested; the real fact being that they had all received notice to quit, but the notices had not up to that time taken effect. The time of ejection soon arrived, and speedily afterwards the aboriginal "Callaghans and Brallaghans" gave way to new tribes of Hosfords, Applebys, Swantons, Dawleys, and Burchells. Three of the former occupants were permitted to retain a portion of their holdings. Of these, a man named Hurly sought favour with the noble proprietor, by promising to abjure Popery, and to astound the Castletownians with the vigour and purity of his Protestantism. The man accordingly went to the Protestant church pursuant to his bargain, but conceiving that a domestic affliction—the idiocy of his son—was a mark of Divine vengeance at his change, he threatened to return to his former creed, to the no small vexation of his lordship. To balance this, the whole machinery of proselytism was set to work at Castletown and Shanavagh. Reverend personages exhorted, readers and teachers besieged the Catholics on highways and by-ways, schools were erected, to which some of the not yet extirpated Catholics gave their trembling and reluctant attendance. The noble earl's family occasionally visited these schools to watch the expansion of the nascent gospel seed, and to accelerate the process of its ripening by the warmth and light of their countenances. When we consider the vast influence which his station and fortune, if properly used, might have invested him with, it was truly deplorable to witness the direction which his zeal had taken—to contrast what he was with what he might be. Be that as it may, Castletown was soon peopled with a Protestant colony. Shanavagh also was pretty well dotted with new settlers. A sort of miniature millenium was to be exhibited amidst the Kinneigh furze-brakes, for the edification of the surrounding community. The noble landlord doubtless regarded the work of his hands with benign and soothing sentiments of self-applause. But the tenants ere long disturbed his pious complacency by falling into arrears. Why should they live on potatoes and sour milk, as if they were no better than Papists? They occupied the same religious level with his lordship, and he should be made to know it too. They accordingly lived well; some of them showed their own sense of their gospel-dignity by actually following the hounds on good stout hunters; one peculiarly enthusiastic Protestant shone forth in the glory of top-boots and a red coat. The angry earl, who could not stomach such an approach to equality, distrained his stock and crops, and set keepers to

watch them; the tenant grumbled, and muttered something about becoming a Catholic! Another Protestant Nimrod—Dawley—was menaced by expulsion from his farm, whereupon, as the best revenge he could take on his lordship, he actually turned Papist, and ever after attended Mass!

As O'Connell said on a later occasion: "The system which afflicted Ireland for centuries continues to the present hour. If the aristocracy do not slaughter with the sword, as they formerly did, they massacre by extermination. The tory landlords who drive the peasantry in thousands from their cabins, put an end to human life by the slow and wasting process of hunger and destitution."

A curious specimen of this order of men—the Irish aristocracy—was Lord M——y. His title was the result of some dexterous traffic in parliamentary votes. He had a favourite saying, that a gentleman could never live upon his rents—"A man who depended upon his rents had money upon only two days in the year—the 25th March and the 29th September. He accordingly left no expedient untried to furnish himself with money on every day.

It chanced that when Lord Kerry's house in Stephen's Green was for sale, a lady named Keating was desirous to purchase a pew in St. Anne's church appertaining to that mansion. Mrs. Keating erroneously took it into her head that the pew belonged to Lord M——y. She accordingly visited his lordship to propose herself as a purchaser.

"My dear madam," quoth he, "I have not got any pew that I know of in St. Anne's church."

"Oh, my lord, I assure you that you have, and if you have got no objection, I am desirous to purchase it."

Lord M——y started no further difficulty. A large sum was accordingly fixed on, and in order to make her bargain as secure as possible, Mrs. Keating got the agreement of sale drawn out in the most stringent form by an attorney. She paid the money to Lord M——y, and on the following Sunday she marched up to the pew to take possession, rustling in the stateliness of brocades and silks. The beadle refused to admit her into the pew. "Sir," said the lady, "this pew is mine." "Yours, madam?" "Yes; I have bought it from Lord M——y." "Madam, this is the *Kerry* pew; I do assure you Lord M——y never had a pew in this church." Mrs. Keating saw at once that she had been cheated, and on the following day she went to his lordship to try if she could get back her money.

"My lord, I have come to you to say that the pew in St. Anne's——"

"My dear madam," interrupted his lordship, "I'll sell you twenty more pews if you've a fancy for them!"

"Oh! my lord, you are facetious. I have come to acquaint you it was all a mistake; you never had a pew in that church."

"Hah! so, I think, I told you at first."

"And I trust, my lord," continued Mrs. Keating, "you will refund me the money I paid for it."

"The money! Really, my dear madam, I am sorry to say that's quite impossible—the money is gone long ago."

"But, my lord, your lordship's character!"

"That's gone too" said Lord M——y, laughing with good natured nonchalance. Mrs. Keating had no remedy.*

We have already said that this worthy nobleman's financial operations were systematically extended to every opportunity of gain that could possibly be grasped at. He was colonel of a militia regiment, and contrary to all precedent, he regularly sold the commissions, and pocketed the money. The lord lieutenant resolved to call him to an account for his malpractices, and for that purpose invited him to dine at the Castle, where all the other colonels of militia regiments then in Dublin had also been invited to meet him. After dinner the viceroy stated that he had heard, with great pain, an accusation made—indeed, he could hardly believe it—but it had been positively stated that the colonel of a militia regiment actually sold the commissions. The company looked aghast at this atrocity, and the innocent colonels forthwith began to exculpate themselves. "I have never done so!" "I certainly never sold any!" "Nor I!"—"Nor I!" The disclaimers were general. Lord M——y resolved to put a bold face on the matter. "*I* always sell the commissions in my regiment," said he, with the air of a man who announced a practice rather meritorious. All present seemed astonished at this frank avowal. "How can you defend such a practice?" asked the lord lieutenant. "Very easily, my lord. Has not your excellency always told us to assimilate our regiments as much as possible to the troops of the line?" "Yes, undoubtedly." "Well, they sell the commissions in the line, and I thought *that* the best point at which to begin the assimilation."

A French writer—the celebrated Gustave De Beaumont—says: "Whether O'Connell be considered as a revolutionist,

* "Ireland and her Agitators."

a politician, an enthusiast, or the great leader of a party—in every case we are obliged to recognize his extraordinary power; and what is especially remarkable in this power is, that it is essentially democratic. O'Connell was naturally, and by the mere fact of his political position in Ireland, the enemy of the aristocracy. This was a necessity. He could not be the man of the Irish and the Catholic people without being the adversary of the English oligarchy. Perhaps in no country is the representation of popular interests and passions so necessarily the fierce enemy of the upper classes as in Ireland, because there is not, almost, a country in the world where the separation between the aristocracy and the people is so open and complete as in Ireland. We must not then be astonished that O'Connell waged an eternal war against the aristocracy of Ireland. Nothing could restrain him in those attacks, which his passions suggested and his interests did not forbid. Nor must we be astonished if O'Connell, the idol of the people, provoked the bitter hostility of the upper ranks of society. There was not on earth another man so much loved and so much hated. The resentment of the Irish aristocracy was very natural."

In attacking the Irish aristocracy, O'Connell frequently availed himself of the ludicrous contrast which was afforded by their pompous pretensions and their base and criminal origin. The lords and earls who had crawled out of the corruption and frauds of the Union, were particularly exposed to his censure. O'Connell found little difficulty in covering with ridicule and scorn such men as Lord —, for instance.—This nobleman had been originally a wealthy merchant with aristocratic aspirations. Having amassed great wealth in trade, as well by lucky hits as persevering industry, he resolved to add a peerage to his acquisitions. A bargain was made with the Irish minister—the ambitious merchant was to be created a baron for the stipulated payment of £20,000. The patent was forthwith made out, and the new peer took his seat in due form. The government never entertained a doubt that his lordship would faithfully pay them the price of his new honours; and in this happy confidence they gave him his coronet without first securing the money for it. Six months passed, during which the good folk at the Castle took it for granted that the new baron would fulfil his engagement at his earliest convenience. At length, however, the secretary wrote a "private and confidential" epistle in order to give his lordship's memory a gentle refresher.

The noble lord made short work of the matter. He wrote back, denying all recollection of the engagement referred to, expressing his great indignation that anybody should presume to accuse him of being a party to the sale or purchase of a peerage, and threatening, should the claim be renewed, to impeach the minister in parliament for so grossly unconstitutional a proceeding. The government were outwitted, and the ex-merchant got his coronet—as he probably had got many a commodity besides—without paying for it.

The fraudulent mode of manufacturing Irish lords which prevailed at the time of the Union was graphically described by Henry Grattan. He said: “‘Half-a-million or more,’ according to a principal servant of the crown, ‘was expended some years ago to break an opposition; the same, or a greater sum, may be necessary now.’ The House heard him—I heard him; he said it, standing on his legs, to an astonished audience and an indignant nation; and he said so in the most extensive sense of bribery and corruption. The threat was proceeded on—the peerage was sold; the caittiffs of corruption were everywhere—in the lobby, in the streets, on the steps and at the door of every parliamentary leader. Their very thresholds were worn by the members of the then administration, offering titles to some, amnesty to others, and corruption to all.”

It cannot be too often repeated, that if the Union struggle in the Irish parliament developed on the one hand the political depravity which England had laboured so hard to produce, it also displayed on the other hand many brilliant examples among the commoners of the most stainless and unpurchaseable honesty. Among these commoners, who were too honest to be lords, we may reckon Mr. Shapland Carew, the member for the county Wexford. When Lord Castlereagh visited this gentleman, in order to offer him a peerage and some other more substantial advantages, as inducements to vote for the Legislative Union, Mr. Carew indignantly exclaimed: “I will expose your insolent offer in the House of Commons to night! I will get up in my place, and charge you with the barefaced attempt to corrupt a legislator.” Castlereagh coolly replied: “Do so, if you will; but if you do, *I* will immediately get up, and contradict you in the presence of the House—I will declare, upon my honour, that you have uttered a falsehood; and I shall follow up that declaration by demanding satisfaction as soon as we are beyond the reach of the sergent-at-arms!”

Mr. Carew desired the noble secretary of state to get out of his house with all possible expedition, on pain of being kicked down the hall-door steps by his footman. Castlereagh accordingly withdrew; but Carew did not execute his threat of exposing the transaction to the House. It were idle to speculate on the motives which induced him to practise that forbearance. The incident vividly illustrates the desperate and unprincipled determination with which the government and its tool pursued their object.*

The Irish aristocracy and gentry of that period were a race of men who lived high, drank hard, gamed deep, and often pursued a career of dissolute extravagance. These habits were generated by their situation, which rendered them, to a considerable extent, the irresponsible monopolists of local power. They largely partook of the national taste for splendour and magnificence—a taste which, duly regulated, tends to adorn the land and to refine and civilise the people; but which, in the circumstances then affecting the upper classes in Ireland, ensnared its votaries into that wasteful and ruinous expenditure which threw so many of their number upon the worst expedients of political corruption to retrieve their shattered fortunes.

The influence of such nobles as Lord M——y and the Earl of Bandon is to be found in the judicial proceedings of such jurisprudents as Lord Norbury. By their private letters, as we have seen in the case of Lord Ross, the aristocracy can turn the stream and poison the fountains of justice, and render it impossible to the people to obtain it undefiled. Under an aristocratic form of government, where the very judges are members of the aristocracy, the administration of justice must be always liable to pollution. Hence we have such trials as that of Hugh Fitzpatrick—a trial which, unjust in itself, served to reveal to the alarmed public a still deeper and more horrific abyss of injustice. The venerable appearance of Hugh Fitzpatrick excited profound sympathy in the court; his unblemished reputation and unmerited persecution called forth, in a sympathising audience, the most varied emotions of the heart—emotions which were sunk and silenced in speechless indignation when the evidence unveiled the darker horrors of Barry's judicial murder. The evidence of Counsellor Campbell, which should excite the lasting gratitude of the Irish people, and which the future historian of the Irish bar will chronicle for the emulation of rising generations and the admiration of

* "Ireland and its Agitators."

posterity, placed the murder of Barry in a true and appalling light. He proved that the trial was unfair—the conviction illegal. He swore that he wrote a long letter to the attorney-general, describing the approaching fate of this innocent prisoner, the illegality of the conviction, and the crowd of affidavits which testified to the perfect innocence of Barry. The witnesses were in Dublin, he stated, ready to wait on the attorney-general—ready to afford any information he required. He wrote to the attorney-general because the innocent Barry had been prosecuted in the name of that officer. “Come, sir,” said the *Evening Post*, addressing the attorney-general immediately after the trial of Fitzpatrick—“Come, sir—no special pleading. Let us not be told that Barry was already sentenced by Lord Norbury. We know that; but we know, too, that you were entrusted with the bright prerogative of mercy. You stated that you were and still are the minister of the criminal department—you are fully responsible if there has been guilt; let not Lord Norbury be the scape-goat. Answer directly then to these plain questions which every humane feeling suggests: ‘Did you use any endeavour to save Barry’s life beyond that of merely submitting to Sir Charles Saxton Mr. Campbell’s humane letter to you, and without comment? Did you ever call upon Mr. Campbell, or send to him, or to the witnesses then in town, or ask for any information respecting the trial or the general conduct or character of this convicted farmer? . . . How can Lord Norbury be criminated and you acquitted; or what distinction exists between the cases of you both; and are you not both implicated or both innocent? If so, was it manly in you to sit silent while Mr. Bushe at your elbow pursued to the quick the cross-examination of Mr. Campbell, eliciting fresh facts of horror, more damaging to Lord Norbury than even the direct examination, and fastening the imputation heavily upon his lordship?’”

On Friday, the 28th May, 1813, in the case of Hugh Fitzpatrick, his counsel moved for an arrest of judgment, inasmuch as in the trial the information was bad, &c. The counsel for the crown insisted, on the other hand, that the facts as stated in the record amounted *per se* to a gross libel; and the court, after considerable discussion, ordered that the motion in arrest of judgment should be disallowed. Hugh Fitzpatrick was then ordered into the custody of the sheriff. An application was made that he might be suffered to remain out on his very ample recognizance until Monday—an application which

was refused. Leave was then entreated that he might remain at large even for a single day, to give him an opportunity of framing an affidavit in mitigation of punishment; but this slight favour was also refused.

On Saturday, the 29th May, Hugh Fitzpatrick, the hoary martyr of Irish freedom, put in an affidavit in mitigation of punishment, which was immediately read by the officer of the court. In this affidavit Hugh Fitzpatrick stated that, in publishing the "Statement of the Penal Laws," he believed he was performing a meritorious work, calculated to remove prejudices which, in Great Britain, existed against the claims of the Catholics. He had hoped to clear away the obstructions and smooth the asperities which blocked up the highway to concession, and this by showing the mode in which the penal laws, during ages, aggrieved and ground the Catholics. He was utterly unconscious, he averred, of the meaning which had been attached to the note which formed the substance of the libel. During twenty-five years and upwards, he had carried on the business of a printer and bookseller; but, until the present unfortunate occasion, nothing had issued from his press during that long lapse of time requiring the interposition of the legal authorities. His publications had been principally religious and moral works of merit; and he humbly thought that he had been, by diffusing knowledge and instruction, a useful instrument in promoting the peace and welfare of the country. The affidavit went on to state that the deponent was far advanced in life—had a young and numerous family dependent on his toils; that while pining in a jail, the care of his business and family must devolve upon his sickly wife, whose tenure of existence was very frail, and who was totally unequal to the task; that his own health was much impaired, and a long confinement would probably shorten his days, &c.*

This touching statement only served to elicit from the attorney-general some acrimonious remarks on the nature of the libel. He contended that as Hugh Fitzpatrick refused to give up the author, the court could take no notice of the circumstances urged in mitigation of punishment.

The sentence passed on Hugh Fitzpatrick was cruelly severe. He was fined £200, and condemned to languish for eighteen months within the dismal walls of Newgate—a punishment which at his advanced age might be considered equivalent to death—and this for a few lines, a detached note in one of the

* *Evening Post*, 12th April, 1818.

most valuable books which ever issued from the press of Ireland. But, in the words of our national bard,

“Far dearer the grave or the prison,
 Illum'd by one patriot name,
 Than the trophies of all who have risen
 On liberty's ruins to fame.”

They might restrain the liberty—they could not extinguish the patriotism of Hugh Fitzpatrick; they could deprive him of the light of day—they could not kindle the fire of vindictiveness in his resigned and patient spirit. He was a saint. Almost his last thoughts were given to his country. It is no extravagance to imagine that venerable man kneeling in his dungeon the first night of his captivity, and uttering in homelier but not less fervent language, the well-known sentiments of the poet—sentiments in perfect harmony with the ordinary tenor of the thoughts of Hugh Fitzpatrick:

“O thou who lovest the poor to cherish!
 See pallid thousands expiring round—
 Arise, Almighty, before they perish
 In vales thy favour with plenty crowned.
 From traitor native and tyrant stranger
 At length thy children in mercy free,
 Who long dark ages, 'gainst gold and danger,
 Through blood and bondage, have clung to thee!
 Declare in thunder thou wilt erect us
 A chainless nation of lofty brow;
 Like Israel's offspring, henceforth protect us—
 Our sole defender and monarch thou!
 Would tyrant trample or slave betray us,
 Thou, strength of armies, the battle's Lord,
 That blessed the falchion of Maccabeus,
 Wilt edge and brandish the Irish sword!
 While then our freedom from hosts defending,
 The lords shall perish that rose to quell;
 As Sennacherib, 'gainst thee contending,
 With Syria's glories, went down to hell.
 Hear, Jehovah! thy people kneeling
 By ruined temples, before thee bow;
 Rise, Avenger! to kings revealing—
 The sceptre-breaker, O God, art thou!”

With sentiments akin to these on his lips, Fitzpatrick spent his first night in the dismal dungeons of Newgate; with sentiments akin to these we may rest assured—when, some years after his liberation, he resigned his soul into the hands of his Creator—the spirit of that excellent man quitted its earthly tabernacle, and took its flight to those serene and blissful regions where “the wicked cease from troubling and the weary are at rest.”

The effects of eighteen months imprisonment on a frame wasted by harassing cares—the agonies of domestic solicitude—were really appalling. It was difficult to recognise Hugh Fitzpatrick when, a ruined man, he tottered from his dungeon—his hair as white as snow, his wrinkled cheek blanched from long confinement, his heart corroded with unspeakable anxiety. The change was appalling—truly lamentable. Such was the agony of mind occasioned by the pecuniary losses entailed on him by incarceration—ten thousand pounds worth of property swept into irretrievable ruin, and for ever lost to his beloved children—that scarcely had the refreshing air of freedom fanned his withered brow when he succumbed to a paralytic stroke, from the effects of which he never recovered. Owing to the declining health of his wife—a woman endowed with surprising energy and with extraordinary intellectual powers—his once flourishing business had lapsed and crumbled away, and his establishment finally passed from his possession. Yet a murmur of complaint, an ejaculation of reproach or peevishness, was never breathed from the unre-pining lips of this admirable citizen—worthy of a country more fortunate and times more auspicious to virtue. Life and property were torn from this martyr of civil freedom under the most hypocritical pretences—proving, if indeed any proof were wanted, that under the specious forms of a delusive liberty, the atrocious practices of the most grinding oppression may be carried out—not only with impunity, but with public approbation; for an aristocratic government is not only a tyranny which crushes—it is a fraud which cajoles, belies and deceives.

Among the Irish lords who were mixed up with Catholic affairs in 1813, the Earl of Donoughmore holds a prominent place. The name of his family was Healy, which they still preserve in the shape of Hely, being called Hely Hutchinson. The grandfather of Lord Donoughmore was a poor labourer in the western part of the county Cork, who followed the particular branch of furze-cutting, which he abandoned for the more profitable and less toilsome occupation of barrator,* in which unlawful calling he attended manor-courts, and became known by the title of Shane Breaga, or “Lying Jack,” in consequence of the undue zeal which he sometimes manifested for his client, and which often hurried him from the narrow road of truth into the broad and inviting path of prevarication. Let us rather condemn the profession than the man. Shane's

* A barrator is a fraudulent or unlicensed attorney.

aberrations were not greater than those of some of his betters whose walk was higher, but who had not half his benevolence. His legal industry was so untiring that rather than be disengaged, Shane Breaga would undertake a suit for one-and-fourpence. He rarely suffered the scrupulosity of his witnesses, whom he had a happy knack of tutoring, to stand in his way, and he invariably preferred the ground most difficult to be maintained, for the mere purpose of exhibiting his address. By these practices he pursed as much money as sufficed, in those cheap times, to apprentice his son Jack to one Denis, an attorney. This Shane Oge Breaga, or "Young Jack the Liar," as the vulgar nicknamed him, was the *honoured* parent of the illustrious Earl of Donoughmore. While young Jack was serving his apprenticeship, his master found it necessary to send some one to London, and he selected the son of the furze-cutter as the most suitable messenger. In this new sphere the apt faculties of the young adventurer were considerably brightened and improved, and he learned with no little satisfaction that in London a knowledge of conveyancing is a mine of wealth. He returned to Ireland with the deeds of his master, but the moment his apprenticeship was expired, Young Jack hastened back to London, where he articied himself to a conveyancer. At the same time he ate his way through the Temple; and on returning to his native land, the furze-cutter's son was called to the bar. While hawking a bag which was not altogether briefless, he made the acquaintance of a Miss Nixon, niece to a man named Hutchinson, who had acquired wealth by keeping a shop in Enniscorthy. Miss Nixon was married privately, or at least without her uncle's knowledge, to young Healy. The uncle, who was languishing at this time, died shortly afterwards, and bequeathed all his property to his niece. Hereupon Healy assumed the name of Hutchinson, and altered his own to Hely, though it is not easy to discern the value of the change.

The indefatigable industry and unblushing effrontery of "Young Jack the Liar" have rarely been surpassed. The time in which he figured on the theatre of Irish affairs was critical. The house of Brunswick was not yet firmly established; the Stuarts were still in existence, and a watchful eye was kept on the Jacobites of Ireland. Though "Counsellor Hutchinson" had long since disincumbered himself of his Catholicity, which would have weighed him down and sunk him into the depths of poverty, this son of a furze-cutter had the address to persuade the simple people that at heart he was a staunch

Catholic. As, of all people in existence, the Irish are the most easily imposed on, his success with the populace is not extraordinary; but what is really astonishing is, to find this man bamboozling the aristocracy, and employed by the government to act as spy upon those very Catholics—his chief merit with the aristocracy being, that he in reality belonged to a body which they abhorred.

It is hardly necessary to inform the reader that “Young Jack the Liar” was introduced into parliament—and this in order to give him a factitious importance; and so skilfully did he play his game, that during his time, if Munster happened to be tranquil, the government was led to suppose that Hely Hutchinson was the cause! Was there a tendency to riot? Hely Hutchinson obtained the credit of pouring oil upon the troubled waters! Thus, at once in the confidence of the simple Catholics of Munster and the crafty Protestants of the Castle, he befooled and bamboozled both. As a consequence of his dexterity, he obtained, without any knowledge of law, the prime serjeantcy in the line of his profession; the collection of the port of Strangford, though he never beheld the Custom House; the secretaryship of state, at a salary of £1,600 a-year, though he never had a bureau; and, what is most extraordinary, the provostship of Trinity College, though he was ignorant of Latin, Greek, and science, and suspected of cherishing an invincible attachment to the Catholic religion! At length he obtained, through the rankest corruption, a footing in the city of Cork, and nearly reduced it to the condition of a rotten borough, aided as he was by an illegal corporate combination.

Groaning, as it were, under the burthen of his ill-gotten wealth, “Young Jack the Liar,” who, though no longer young, was still mendacious, presented himself one day before Lord Townshend, complained of his poverty, and piteously craved some little addition to his possessions. “There is nothing vacant,” said his lordship, “except a majority of horse; and, of course, that is a vacancy you cannot fill.” “Oh! no,” the other replied, with the greedy eagerness of insatiable cupidity; “but Mrs. Hutchinson can!” “Jack the Liar” got the majority, sold it for a considerable sum, and put the money into his pocket. After being a cavalry major, his wife received still further promotion—she was made Baroness Donoughmore. To this “barony” his eldest son succeeded, and at the Union became an earl.

Towards the close of 1813 this *illustrious* nobleman, the

legitimate grandson of the knavish furze-cutter, wrote, in connexion with Grattan, a letter to the Catholic Board, which produced an immense amount of discussion, and agitated and distracted all Dublin—not to say Ireland. The object of this letter was to determine the course to be pursued, in the session of 1814, with relation to Catholic Emancipation. His lordship said, that if he might judge from the feeling which the Catholic Board evinced at their recent meetings, they considered it necessary “to put into the hands of their parliamentary advocates the form of a bill, completely framed with all the specifications and provisions. That the Catholic Board, and not the lords and commons now in parliament assembled, should take into their consideration what species of bill would be likely to satisfy this country. That the general sentiments of Ireland, expressed by numerous meetings in the counties, having been taken into consideration—not by the two houses of parliament which are now sitting, but by the Catholic Board—it is affirmed as a fundamental proposition, that no specific measures for regulating the discipline of the Catholic Church of Ireland ought to be proposed to the legislature, or advocated on behalf of the Catholic people of Ireland, without having been sanctioned previously by the approbation of their prelates. And lastly, that no oaths should be propounded in the bill which should not have received the like sanction of the same previous approbation. . . . The same liberty of judgment and opinion,” added his lordship in this ungrammatical and floundering letter, “for which I have been contending on behalf of others, free and unshackled, I must not relinquish for myself. Instructions I will not condescend to receive for the discharge of that duty which I have undertaken in your behalf—not for the first time, and which I am not conscious of having ever deserted. I have no explanation to offer—no new pledges to give. Dictation from any quarter, however respectable (pardon the expression—it is due to frankness and sincerity; I mean it not unkindly), I should consider as little less degrading to the humble individual who thus addresses himself to your candour and to your feelings, than inadmissible to the grand inquest of the nation now in parliament assembled.” Lord Donoughmore might be very fit to govern the nation; but he was very ill-qualified to write an intelligible letter. It is painful to read his scrambling epistle—difficult to gather his meaning. The sovereign who had made him a peer, had failed to make him a grammarian. Nothing could be worse arranged than his clumsy, floundering, and ill-con-

structed communication. But, however ill-written, his letter shows the hypocritical mode of ingeniously tormenting the Irish people, which was adopted by their aristocratic friends, who, in distant imitation of an arch-deceiver, embraced them with a kiss. The ordeal which these political Pharisees forced the Irish people to pass through was unspeakably vexatious, painful, and harassing. Almost every word their lordships uttered was an insult—not the less galling because it was sheathed in a smile. At the present day we cannot appreciate the sufferings to which our people were subjected—the coals of fire over which they trod—the wilderness of thorns which they had to traverse; we cannot enter sufficiently into their feelings, or sum up their hidden agony while thus distressed and harassed by aristocratic hypocrisy. But the sufferings of those obscure martyrs of our race would prove pregnant with important lessons, teeming with instruction, could we recall their memory—appreciate and realise them.

“The impression,” said O’Connell, “that the Board was desirous to dictate could not sufficiently be deprecated. All such desire was distinctly and expressly disavowed. The Board did not—could not entertain it. The whole Catholic body disavowed it. How hard then that such an imputation should be made. The Catholics had long struggled for the restoration of their rights in the utmost obedience to the constitution, and in a humility which was, perhaps, even beneath them. They had, under the severest sufferings, given for a long series of years the example of good temper and magnanimous endurance; and now, indeed, they were to be accused of all the insolence of dictation—and this upon authority to which they had never given their sanction, the representations of the public press! Strange indeed! but however unfounded the imputation, it still became a duty to disclaim it, and to protest against its being repeated.”

If Lord Donoughmore’s letter was obscure, that of Henry Grattan was perfectly lucid; for though inferior in rank, in intellect Grattan was, we know, immeasurably superior.—Grattan refused, unless they submitted to his will, to communicate with the Catholics. “My answer is,” said Grattan, “that my zeal in the Catholic cause is inextinguishable—that I have a great affection for my fellow-citizens of the Catholic religion—that I have a personal regard for a great number of the individuals that are of the Catholic Board, without the least degree of enmity to any one of them—and that it is in consequence of these feelings, as well as from a sense of the

duty which I owe to parliament—and particularly to the House of Commons, of which I am a member—that I decline a communication with the Catholic Board on a bill to be formed by them for the legislature, or on any proceeding like a dictation to parliament. I make no doubt the Board will not fall into such an error; there are established regular ways by which they can convey all their wishes. I am satisfied they will resort to such, in which they will be most respectable and persuasive.”

O'Connell's reply on this occasion was a model of prudence and good sense; a tone of mingled firmness and caution pervades it which is illustrative of his character and marks the great man. He will not forfeit the rights nor will he offend the friends of the Catholics. He said: “The noble earl tells us that ‘he will not condescend to receive instructions.’ The Catholics will never think of offering him that which would require from him any abatement of his dignity to receive. For my part, I at once yield to his authority, and am convinced he is right. It is, I presume, the privilege of the peerage not to be instructed—but I know practically and from experience, that there is no such privilege attached to the Lower House of parliament. To the noble earl we shall never offer anything in the nature of instructions—but it will be our duty to submit to him ‘suggestions’ upon the details of the laws that oppress us, and upon those of the measures that ought to remove our grievances. I presume that these suggestions cannot be inconsistent with his dignity or privileges. I am convinced from the experience of last session that they are necessary for our relief. There is, I beg leave to repeat, no privilege of the members of the House of Commons to preclude *them* from receiving the instructions of their constituents and of those whose petitions they advocate. I do not mean to say that those instructions can control their judgments or regulate their conduct. All I assert is, that within the limited sphere of my own experience, many occasions have occurred in which members of the Commons have received and have called for the instructions of those whose interests were involved in questions before that House. I have known such instructions given, both before and since the fatal Union, by committees selected by persons interested in the corn laws, by committees selected by persons engaged in the sugar trade, by persons delegated by the distillers, and latterly by deputies of the grocers of Dublin. Why, a week has not elapsed since the Irish chancellor of the exchequer, Mr. Fitzgerald, received instructions of the delegates of the grocers of Dublin. He

received their instructions with attention, politeness, and good feeling. He would, I am convinced, receive the instructions of the Board in a similar manner; for most certainly the necessary instructions do not imply dictation upon the one hand nor submission on the other. But are not the Catholics of Ireland as worthy of attention as the grocers of a city? Are we not as good as grocers? Or is it reserved to the population of this island—to its Roman Catholic population—to be the only class in the community that shall be proclaimed by high authority as unfit to manage their own affairs, and unworthy to be communicated with upon their own concerns? It has been said, perhaps with truth, that no man is so impatient as not to bear his neighbour's misfortunes with Christian fortitude. This however is certain, that no man can so well comprehend the effect and extent of an evil as he who endures it. We endure the calamities of oppression, exclusion, and consequent insult; and whilst we are grateful to the courteous sympathy of our friends, let them condescend to believe that we understand better the form and pressure of our grievances than they can. But I beg, Mr. Chairman, to go one step farther, and to contend that there is no dictation implied in the drawing up the frame of the bill to be afterwards submitted to a member of parliament. Who spoke of dictation when Mr. Charles Butler last year prepared the frame of a bill? Lord Castlereagh, who now professes to be our ardent friend, and may perhaps prove so, did not call that dictation. No, sir; he called for the draft of the bill, and I believe acted upon it. Is the privilege of drawing the frame of a bill reserved for Mr. Butler? Is it personal to him, and are all the Catholics, at least of Ireland, to be excluded? Who spoke of dictation last year when Mr. Grattan procured the frame of a bill to be prepared by Mr. Burrowes, by Mr. Burton, and by Mr. Wallace. If the frame of a bill carry dictation in its train, why did our illustrious advocate risk our cause by getting that draft prepared in Ireland? Or am I in sadness to inquire whether it be the Irish Popish touch that pollutes the deed, and renders that which is lauded by the minister in England, and practised by the Protestant patriot in Ireland, an act of dictation and a crime in us. Yet I do not insist upon it—I do not require that we should be allowed to place in the hands of our advocates that form of a bill which, if they could succeed in carrying in parliament, would effectually emancipate and greatly reconcile. But this I do contend for—that the very constitution of the House of Commons renders it the duty of the members of that House to receive and

to deliberate upon the instruction of their constituents—and that the same courtesy which induces a noble peer to receive a petition and to present it, is offered no indignity by being accompanied or followed by respectfully suggesting to him those details which appear to the petitioners best calculated to procure such success as will gratify them and serve their country. We are, it is true, an oppressed—but we are not a degraded people; we are unfortunate, but are not broken-spirited; we are slaves, it is true, but we possess the forms and minds of men; we want friends and are deeply grateful for friendship, but our best resources are in ourselves, and the first and chiefest hope must rest in our people. Our advocates may differ from us—those who now condescend to support us may, it is true, cast us off; but we ought not to despair nor will there be any reason to despond if we be but true to ourselves, respectful to our friends, firm towards our enemies, determined in our perseverance, and unremitting in our exertions. This line of conduct we have adopted. We are therefore prepared for every contingency; and whilst we touch not upon the dignity of others, we will maintain our own. The Catholic people of Ireland have overcome greater obstacles than can again arise—and it is now too late for their enemies to hope that they will be misled or impeded in their pursuit of liberty.”

O'Connell moved that the letters of Lord Donoughmore and Henry Grattan should be replied to. The fact was that O'Connell had himself secretly prepared a new bill.

Mr. Finn perfectly agreed as to the propriety of the Board's giving suggestions to their parliamentary advocates; but should not the form of the bill which it was proposed to lay before them have been communicated to the whole of the Board? He was assured that it had been a long time written, and yet it had only been seen by two of the members—not another person knew anything either of its principles or details. Was this treating the Catholic body of Ireland with the respect it merited—and more especially was such a concealment proper after rumours had found their way abroad that the bill was of a nature that would ensure it a decided disapprobation among the best friends of the Catholics? He had heard that it proposed enactments, not merely for the repeal of the Catholic disabilities, but also for the emancipation of every other sect of Christians. This was, no doubt, a noble principle; but what right had the Board to dictate concerning it? There could not be anything more erroneous than thus to clog themselves with the business of others. Let every exertion certainly

be made to advocate and to forward the claims of the Dissenters—but why make *their* emancipation an absolute condition for the acceptance of our own?

O'Connell said that Mr. Finn's statement, as to the preparation of a bill and its having been withheld from the members of the Board was perfectly correct; but that the object in so withholding it was to prevent cavillers from saying that it had first been enacted by the Catholic Board, and was afterwards to be re-enacted by the parliament. With regard to the principles of the bill, it was needless to speak of them, as from the circumstances just stated they could not be known. But supposing them to be, as had been said, in favour of the Dissenters, would they not be so in conformity with the language of the petition, and how would it be proper to make them different from it? If the gentleman differed from him (O'Connell) in that respect, he also differed from all who had signed the petition, for they had been unanimously in favour of the Dissenters.

Dr. Dromgoole thought Mr. O'Connell's resolution perfectly unexceptionable. He was as anxious as anyone that all wish of dictation should be disavowed, and voted for the resolution on that ground; but he was, at the same time, firmly convinced of the right of the subject to give instruction to those members of parliament to whom he might commit the advocacy of his cause. This privilege was not a matter which required the smallest investigation—it had been already acknowledged in numberless cases; and would it not be very extraordinary indeed that Ireland alone should be neglected—that one of the most important members of the empire should stand at the door of the House, and not find one member to carry its sentiments before it?

Eneas MacDonnell made some very remarkable observations upon this occasion. He said: "It is well known that the penal laws formed no regular system referable to a certain number of general principles—they were scattered through every corner of the statute book, full of anomalies and contradictions. The Irish parliament, it might be well recollected, did not proceed to enact them with that scrupulous caution which first examines the connexion of a proposed law with others already in existence, or its probable effects in the future; but they were its usual resource when, after all other business was finished, and the members were idle, it was asked: 'Is there nothing to enact against the Papists?' Such being the case, it was impossible that any bill of a general

nature could effectually repeal them ; some door it would still leave open to the ingenuity of persecution, and some lawyer would still be found willing to thwart the spirit of the law by a fault in its composition. The only proper method would be, for parliament to pass a bill repealing singly and by name each of the penal laws. With this view, he (MacDonnell) had formerly suggested to a learned gentleman opposite (Denis Scully), the utility of collecting in one view the whole of the laws so proposed to be repealed, and thereby affording to the parliamentary advocates of Emancipation a sure guide towards effecting their purpose."

A Protestant, named Lidwill, made a remarkable speech on this occasion. He apologized for the boldness of the Catholics by asserting that the Protestants had set them the example. "If you have fallen into any errors," said Mr. Lidwill, "you are but tame and servile imitators, and fall far short of your originals in this respect. Who set you those examples? I assert it was the Protestants of Ireland in the best days of the country—in a glorious struggle for a nation's rights. It was the Protestants, on that memorable day when seeking their own freedom and complaining of their own wrongs ; they left you models for most of your resolutions, and for others that I should be sorry to see you follow—which when they now condemn you for, they thereby affix a fouler reproach on themselves than ever escaped the lips of any of your body in the most agonizing hour of your disappointment. How and when did those men act thus ? When their veins were filled with youthful and uncorrupted blood ; when they felt the oppressor's wrong, and were resolved to assert the freeman's right ; when the pulse beat high, and liberty was the watchword ; when the interest of their country was a dearer object than the favours of a court, and the cheering voice of a neighbour's approbation more cordial and grateful than the smiles of a viceroy or the wages of prostitution. Then did those Protestants from the Giant's Causeway all along to Beechy Head resolve never to support any candidate who would not assist in procuring the objects they were demanding. Then did the Protestants of Ireland resolve not only to give a preference to the manufactures of their own country, but not to use the products of any other which was treating theirs with hostility. Then did those Protestants resolve to support the king, lords, and commons of Ireland with their lives and with their fortunes. Against whom did they thus resolve to support them ? Why, against the king, lords, and commons of

England, for it was of their injustice they were complaining. How did the Protestants enter into those resolutions? Not like you, dressed in the humble garb of peaceable citizens—not like you, huddled together in some gloomy, dismal storehouse, surrounded by spies and with informers sitting among you, and subject to the daily intrusion of any officious policeman who might wish thereby to increase the wages of the hireling's pliancy—not like you, thankful for the occasional visits of those of any other religion whom curiosity or a better motive brought amongst you. No; they demanded the warm co-operation of every man of any religion who felt he was an Irishman. They assembled on parade; they proclaimed their objects dressed in complete uniform—armed *cap-a-pie*; and they announced, in no very unintelligible language, they were determined to enforce them with their swords. They wrote their resolutions—I do not find they ever thought of petitioning—on the drum-head; their wrongs were proclaimed through the nation with the bugle and the trumpet, and they prepared to seek redress with train-bands and artillery. They called on the tenant to forsake the landlord if he was inimical to the nation's rights; they were determined to be free—and they succeeded. I see astonishment pictured in the faces of some of you. Your surprise is natural—that so few years could cause so great an alteration. Yet do not think I am misleading you—or that a heated imagination, or indignation at the calumnies by which, amongst other wrongs, you have been oppressed, is hurrying me beyond the fact. Some of you are too young to have seen these things, but all are highly culpable not to have informed themselves fully on this subject—not to have read of those transactions—not to treasure them in memory, and to impress them deeply on the hearts of the rising generation.”

It was moved at this meeting that another communication should be addressed to Lord Donoughmore—a motion which, being opposed on some point of form by O'Gorman, was necessarily postponed. When the Board met again, however, O'Connell moved for “a committee to prepare answers to the letters in question,” in this way evading the difficulty which O'Gorman had raised. In the new form the motion was unobjectionable, and consequently carried. On this occasion, O'Connell made an able and luminous speech. He said: “It was not to be expected that any one should be able so well to unravel the labyrinth whose intricacy had caused the defects of former bills, as men whose interests and feelings had led them

to make it the study of a great part of their lives, and who had been continually in the habit of answering, as counsel, the applications of persons aggrieved by these complicated laws. In short, a recurrence to the information in the hands of the Catholics was the only means to prevent the same unhappy catastrophe which destroyed the fruits of last year's exertions.

. . . . How lamentable if the Irish people should be deprived of results almost within their grasp by internal dissension, or by a secession from each other which, if it were not really dissension, inflicted all the consequences of such a calamity. What! shall an attorney-general be able to boast, as he did to me *this day* [Mr. O'Connell had just come from the scene of Mr. Magee's renewed prosecution], that there is a party of the Catholics of Ireland attached to him! To *him*—their continual, their unwearied persecutor! And have there been appearances in our behaviour to each other which could give the colour of truth to such an assertion—and shall we continue to authorize it? Shall we not rather sacrifice every difference of opinion, every individual prejudice, and unite at once to spurn away the contumely with which it stains us? For my own part, I have heard that some gentlemen are kept away by a fear that I may recur to the subject of an alleged promise of the prince regent. I utterly disclaim such an intention. I never will recur to it; and in the name of my esteemed and patriot friend, George Bryan, I can also state that he never again will mention it. Let every Irishman offer up his sacrifice on the altar of unanimity, whose omnipotent spirit will receive our incense with gladness, and will guide us irresistibly through danger to the goal of triumph and success.

. . . . There are but two causes that can retard our success—disunion and distrust among ourselves, and the continuance of that unworthy prejudice among others which degrades the Catholic to comparative insignificance in the scale of intelligent beings. . . . Is it not thought high insolence in a Popish writer to be talented—in a Popish mechanic to exercise his profession with ingenuity? And from what other source could it arise were Catholic assistance to be refused in the formation of a bill to relieve us? Did not Mr. Wilberforce consult with the Negroes on the subject of their slavery, receive information from them, and bring the answers of the African to the bar of the House of Commons? And is the Catholic alone to labour under the stigma of mental degradation without asserting the rights of his nature?"

The motion, after some discussion, was finally carried, and a

committee formed to prepare a reply to Lord Donoughmore and to Henry Grattan.

Another discussion concerning Lord Donoughmore's correspondence, which throws a flood of light on O'Connell's character, took place in the Catholic Board on the 8th of January, 1814. O'Connell said—and his words are very remarkable—“He trusted that those letters had made, and would continue to make, a deep impression on the minds of the Catholics of Ireland. He should judge of the moral fitness of the Catholics for freedom by the sensation those letters should create. Deep, but not loud, should be the feelings of men deserving liberty. It belonged to the spirit of philosophic inquiry to trace out the causes of which the temper and tone of those letters were the natural results; but it belonged to the dignity of philosophic patriotism to bear with this temper and tone in patient and, he might add, unrepining calmness. Indeed those letters not only make it impossible to forget, but they open a new view of the state of the Catholics of Ireland; they have led me to a discovery of some magnitude—they have shown me distinctly the cause of many appearances that I reckoned most monstrous and unnatural; they have reconciled me to Duigenan, to Musgrave, and to Giffard; they have disclosed to me the source and secret of their abuse. Vulgar it is, and coarse; but then, vulgarity and coarseness are scarcely the fault of the individuals—it is to be attributed to their education, and habits, and tempers. Had they the education and temper of gentlemen, they would treat us differently—we should have a better style and more courtly condescension in their reproach, and even in the calamity of their advice; but the principle would not be different from that which they act on at present. It is a principle discoverable and discovered by me, for the first time, in those letters. It consists simply in the natural and moral superiority which the law imposes upon the Protestant over the Irish Catholic. It is to be found in the natural and moral inferiority to the Protestant which the law inflicts on the Irish Catholic. A century of persecution commenced by the grossest violation of the faith of treaties that ever disgraced the page of history, authentic or fictitious—a century of legal degradation has so lessened and brought down the Irish-Catholics in the eyes of their Protestant neighbours, that we are in the scale of humanity but dwarfs compared to those social giants. I was long aware that such was the estimate of us in which our enemies indulged; but this correspondence was necessary in

order to convince me that the same prejudice lurked in the minds of our friends. I flattered myself that we had risen in their estimation; I did imagine we had ceased to be white-washed negroes, and had thrown off, in their eyes, all traces of the colour of servitude; but this correspondence has, I confess, done away with the delusion.

“Perhaps they are themselves unconscious of this claimed superiority—indeed I believe that they perceive it not, being a matter of habit; and having arisen before reflection, and unaided by reasoning, it may well happen, and I believe it does happen, that our friends are themselves unaware of the judgment of inferiority which has been tacitly passed upon us; and that when they announce, as those letters announce, a plain superiority—a superiority not as of any assumption, but as of clear right, our friends are themselves ignorant of the assertion of any such superiority. In short, my conviction now is, that the inferiority of the Irish Catholic resembles a species of innate idea in the minds of our Protestant friends, which remains there unaccompanied by any distinct consciousness of its existence.

“Do the Catholics really deserve this opinion of inferiority? I think not; I think both their enemies and their friends will soon acknowledge their just claims to equality if the Catholics continue to look to themselves and to their own exertions for their first and best claim to success. Conceding this superiority for the present, and cautiously avoiding to hurt its national pride, or to provoke any other exhibition of its inherent dignity, there is yet one passage in the letter of the Earl of Donoughmore which requires a reply from the Board, and one passage only. It is that which relates to representation—it is that in which the noble lord seems to charge upon us having assumed or exercised a representative capacity. I feel at once that this charge could have originated simply and singly in the mistake or misapprehension of the noble lord. It cannot have any other source whatsoever than from some misrepresentation of the mode of our association, or of our conduct when associated.

“But, admitting and proclaiming the purity of the motive of making this charge, it is however, even upon that account, the more imperative upon us to set his lordship right upon the subject. We owe it to him to afford him accurate information on this interesting subject. We owe it to ourselves to prevent the possibility of the continuance of mistake or misapprehension on this important subject. I am confident I need

use no other argument to induce the Board to adopt my motion for giving the noble lord precise information with respect to our association, than the manifest propriety of giving our advocate a true view of our situation. We have too much respect for him to allow him to remain in error.

“But there is another and a pressing motive for disclaiming the imputed representation. It is to be found in the construction put on the Convention Act by our adversaries. They have procured by their arguments the decision that ‘pretence’ and ‘purpose’ are synonymous, and that any persons who meet, no matter under what ‘pretence’—no matter for what ‘purpose’—commit a crime if they really be, or assume to be, representatives. This decision establishes that the crime prohibited by the statute consists in ‘representation,’ but in ‘representation’ alone. The pretence or purpose is immaterial. ‘The only thing,’ said the attorney-general, and say the judges of the King’s Bench, ‘to be inquired into is—representative or not.’ This decision suited the purposes of the prosecutor at the time it was pronounced; but it has now become inconvenient to him, and is certainly at this moment the protection of the Board from his attacks. Our construction of the statute would have limited the Catholic Committee to the exclusive consideration of a petition. The only *purpose* should, according to our construction, have been petition—leaving us, perhaps, the empty honour of claiming an useless and almost ridiculous title to a representative capacity; and then, upon our own showing and with our own assent, the attorney-general would have a right to put down the Catholic Committee the moment it departed from the strict line of mere petitioners.

“But our construction was overruled; the attorney-general was too wise to adopt it, though it was manifestly the most convenient as well as the most constitutional view of the subject. He did not foresee that we would divest the select meeting of the Catholics of all representative capacity, and that getting rid of representation, we should, upon the attorney-general’s own showing, and upon the authority of the court of King’s Bench, be entitled to discuss other subjects with as full and strong a right as that of petition. The result of the prosecution of Doctor Sheridan and Mr. Kirwan has, therefore, been highly beneficial to us. It has been infinitely more useful to the Catholic body than if we had succeeded in obtaining a judgment of the court. Then our committees must have been confined within the narrowest limits of preparing and forward-

ing petitions, but now we run no risk of any indictment on the Convention Act, whatever extent our deliberations may have.

“There is, however, one precaution—it is simply this, that we are not to be, nor pretend to be, representatives. Allow me here to protest against being understood to say that, as a lawyer, I conceive the construction put on the statute by the court of King’s Bench right. No; I certainly think the court was mistaken—and I hope the first possible opportunity of bringing that construction in review before a superior tribunal will be taken; but until it is reviewed—until it is altered, it is our duty to submit to it and to acquiesce in it. I do therefore cheerfully submit to the decision, although not convinced of its accuracy; as the court has no claim to infallibility, it is liable to error.

“But submitting to its present opinion, it became necessary to avoid not only the reality, but all appearance of representation. We are not constituted upon any scheme of representation. We never claimed any representative capacity; on the contrary, we always disclaimed it; and having it now charged upon us by the Earl of Donoughmore, we are bound again to disclaim it, because our silence under such a charge might be construed into an admission of its justice. Yes, upon legal principles, silence would now be an admission of this legal crime; and it is scarcely necessary to remind the meeting that the same law-officer who plunged the Richmond administration into a warfare of litigation—not a very wise one, I imagine—with the Catholic people, has every motive of resentment, of passion, of prejudice, and even of interest to induce him, if he can, to involve the present administration in a similar silly contest.

“The historian of human nature has admirably described his state physician as presenting similar remedies for all diseases. He prescribed bleeding and warm water for all his patients with uniform success. They all died. The Sangrado of the law is as uniform in his prescription; it is simply a state prosecution as a remedy for all evils. Prosecute! prosecute! is ever on his lips. He has not, indeed, been uniformly successful; nor has the learned and grave doctor effected any great political cures. But he is as sanguine as ever in his opinion of the efficacy of his prescriptions; and if this letter of Lord Donoughmore remain unanswered, it will afford the attorney-general a fair pretext for what he delights in—a new prosecution. He will be able to read, as part of his speech, two paragraphs from the letter; and we should have the mor-

tification of finding the language our *friend* and *advocate* rendered useful to the most bitter and unrelenting of our enemies—the only one of our enemies, indeed, who actively and zealously, and from his heart opposes us—the single individual whose passions and whose conscience, such is the force of early and hereditary prejudice, drive him to seek for any prosecutions that may impede our progress. It would be melancholy—it would be deplorable that such a man should be furnished with arguments against us by the Earl of Donoughmore. The authority of that noble lord ought to have great weight with any jury; and it is possible—recollect that I only say it is possible—that the attorney-general may find, in the city of Dublin, a jury sufficiently disposed to convict us on the authority of Lord Donoughmore. I speak with great reverence of Dublin juries. It is boasted that they do their duty gratuitously; but duty is done as well and as zealously for love as for money, and we ought to avoid giving them gratuitous trouble. For the ease of these juries and for our own protection, let us respectfully but distinctly disclaim the imputation of representation which the noble lord has by mistake cast upon us.

“I conclude by again referring this correspondence to the serious consideration of the people of Ireland. Let them weigh it well. If it meet disapprobation amongst us, it has had more than enough of praise from our enemies. There is not a public writer enlisted against the Catholics that has not been decided in his approbation of it. It is certainly our duty to reply to this paragraph. There our epistolary intercourse will end, for our suggestions ought to be so framed as not to require any reply.

“Would to God that I could revive in the mind of Mr. Grattan his former feelings for the Catholics of Ireland—that I could rouse him to that energy with which he formerly advocated our cause! *What securities did he ever speak of in the Irish parliament?* What apprehension was about him for the Established Church in the year 1793, when he obtained so much for us? Where were his alarms *then*? And yet that, if ever, was the period in which the Established Church might have been in danger. What is there in the English air to alter the mental vision, so that it shall behold gorgons, and hydras, and chimeras dire, where before it saw nothing but the pleasant prospect of amity, strength, and social security? Would I could conjure up the ghost of the illustrious dead who so often aided him in his battle for his then dear Ireland;

and amid the group, I would call up the phantom of departed Ireland herself, to remind him of what he was and what he ought to be, unsophisticated by the delusions of English politics! In the sacred names of the mighty dead, I would conjure him to return to the grand and simple principle of the right to perfect liberty of conscience! Whether he succeed or fail in that pursuit, his ancient glories will brighten in the rays of these his later honours; and he will singly sustain, in degenerate days, the consistency as well as the splendour of the first models of Grecian and Roman virtue!"

We may account for the fierce hostility of the aristocracy to O'Connell in the same way in which Napoleon I. accounted for the hatred of the British peerage to himself. "Your aristocracy always detested me," said Napoleon to Barry O'Meara, "because I, placed by the people at the head of affairs, threw open the career to talent." Like O'Connell, Napoleon proved that the talents of the vulgar are often more brilliant than those of their titled masters. In *his* reign the common people of France sent forth more great generals than all the nobility of Europe taken together. O'Connell's crime, in the eyes of the aristocracy, was that of Napoleon I. Napoleon's object, like that of his august nephew in our own time, was always peace. The gigantic projects for the improvement of France which he contemplated, could only be executed in tranquillity. Projects such as the Suez Canal, which he ardently cherished, required time and peace for their gradual realization. His active imagination contemplated the elevation of France to the loftiest and most brilliant place in the universe; he hoped to furnish her with the ships, colonies, and commerce, which peace, and peace only, can call into existence. To preserve peace and carry out his magnificent projects of a pacific nature, Napoleon, in 1803, was willing to make every sacrifice compatible with the honour of his country. So, in 1813, in the decline of his fortunes, Napoleon would have welcomed peace with rapture, provided it were accompanied with power and glory. When, in November, 1813, M. De St. Aignan laid before his imperial majesty the basis of pacification, though the conditions were hard, Napoleon did not refuse them. To secure peace he consented to give up Germany, Italy, and Spain, and break to pieces the stupendous empire which it cost him such prodigious labours to construct. As a pledge of his sincerity, he removed the Duc de Bassano from the ministry of foreign affairs, to make room for the Duc de Vicence, the friend of the Czar. But when his imperial majesty Napoleon I.

consented to throw away his conquests—when the Duc de Vicence informed the allies that Napoleon was willing to purchase peace at this enormous sacrifice, the allies retracted their proposals and marched three great armies against France. It was lamentable to see Napoleon preparing once more to confront the hazards of war—trusting in the fortunes of France as he did, and confiding in the sublime genius which in fifty great pitched battles had lighted him to glory. It was enough to move the sternest heart to tears, to see him, on the night of the 23rd January, 1813, burning his papers and embracing his wife and child—that wife and child whom he was never again to set eyes on—and once more preparing to make war against the embattled world. In the course of his stupendous career, it was the fate of Napoleon I. to carry war into Vienna, Berlin, Moscow, and Madrid, to effect what could be only accomplished in Dublin—the overthrow of the British empire.

As the first Napoleon would never have plunged into war, if the treaty of Amiens had been fulfilled by the British government, so O'Connell would never have plunged into agitation—never have disturbed the monarchy—if the treaty of Limerick had not been violated by the English aristocracy, or if the intrigues of Castlereagh had not deprived Ireland of her legislature. O'Connell's life-long efforts to throw open to Irish talent the career to distinguished rank in the British army, the British navy, and the civil departments of Britain—his herculean exertions to obtain on the floor of the House of Commons an arena for the display of Irish genius—in short, to supersede the privileges of the aristocracy by the talents and abilities of the “mere Irish”—this was the offence which made him hateful to the oligarchy and stimulated their energies to accomplish his destruction. To return to Lord Donoughmore.

The Irish Catholics of 1813, might well say of Lord Donoughmore what an Irish poet at a later period said of the Catholic peers :

“ We looked for guidance to the blind,
We sued for counsel of the dumb—
Fling the vain fancy to the wind,
Their hour is passed and ours is come.
They gave us in that gloomy hour
Nor kindly word nor gracious tone;
But heaven has not denied us power
To do their duty and our own.
Alas! the nobles of the land
Are like our long-deserted halls—
No living voices, clear and grand,
Respond when foe or freedom call.”

The Earl of Donoughmore was one of many Irish peers who were indebted for their dignity to George III. Of these men thus personally bound to the court, the greater part had recommended themselves to royal notice by the grossest political dishonesty. They cared nothing for their country except for the purpose of trafficking upon it. Corruption had been carried to such extent as to justify the well-known assertion that the crafty minister, economising English money while subverting Irish independence, contrived, by selling seats in the House of Lords, to raise funds to purchase members in the Irish House of Commons.

The magistrates nominated by the aristocracy were, if possible, more hostile to O'Connell than their titled superiors; and their unscrupulous character made them, at least, equally formidable. In 1813, the Orange magistracy were a curious generation. While the smaller sort of justices occasionally rendered their judicial decisions auxiliary to the replenishing of their poultry yards, their wealthier brethren were in frequent communication with the Castle, recommending strong measures to keep down the people, calling for an increase in the constabulary, the proclamation of disturbed districts, the enforcement of the Insurrection Act, or the suspension of the *habeas corpus*.

Complaints against obnoxious individuals were frequently made in these communications. The government were earwigged by the "loyalists;" and many a poor devil who never dreamt of plots or conspiracies, has been indicated to the executive as the secret contriver of a revolution! One ludicrous instance of this species of volunteer espionage is deserving of record. The officious informant of the government was a magistrate—a grand juror—a man of family and fortune. The object of his attack was also a magistrate and a grand juror, and of lineage and station at least equal to his own. They were both good loyalists; the former gentleman had amused his leisure hours with a corps of cavalry yeomanry of which he was the captain, and which he proclaimed was indispensably necessary to the stability of the British connexion.

These dignitaries quarrelled with each other. It was a private dispute relating, we believe, to the comparative merits of their foxhounds. The "accusing angel" (whom we shall call Mr. A.) conceived that the most exquisite revenge he could take would be to procure the dismissal of his foe (Mr. B.) from the commission of the peace. Mr. A. was in constant communication with the Castle. Every week he wrote

a voluminous letter to the viceroy or his secretary, expatiating on the demoniac disposition of the people, on the perpetual perils besetting the well-affected, and, in especial, on his own transcendent and incalculable merits. The literary qualities of his correspondence must have astonished the official critics at Dublin Castle, for his orthography was perfectly original, and he occasionally introduced a colloquial oath by way of lending emphasis to his assertions. His despatches at one time announced to the government that, "By ——! the country was in a truly awful situation;" at another, that "they ought to look sharpe after Mr. Murtha O'Guggerty," &c. These suggestions had been so often attended to and acted upon, that at last he had very naturally learned to consider himself all-powerful with the Irish administration. His correspondence had been always "private and confidential," so that he rejoiced in the double confidence of power and secrecy. He accordingly wrote to apprise the lord lieutenant that Mr. B. was a political hypocrite, who, while wearing the outward marks and tokens of loyalty, was destitute of its inward and spiritual graces—that, in fact, he was secretly a *captain of Whiteboys*—a most dangerous character, and one who ought promptly to be struck off the list of magistrates. Mr. A. did not entertain a doubt that the return of the post would bring down a supersedeas for his enemy from the lord chancellor, and he chuckled with anticipated ecstasy over B.'s mortification, and his ignorance of the quarter whence the arrow was aimed.*

Although they had quarrelled, they had not quite discontinued their acquaintance. Mr. A., therefore, was not very much astonished when he saw Mr. B., one fine morning, approaching his house on horseback. "Perhaps," thought he, "B. is coming here to make up matters if he can. I wonder has he heard of his dismissal yet?"

The visitor, seeing the man of the house on his hall-door steps, struck spurs in his horse, reached the mansion in a few moments, sprung from the saddle, and ferociously shaking a horsewhip in one hand, presented with the other a written paper, saying:

"There, sir, is a copy of a document, signed with your name, which I received from Dublin Castle by this morning's post. It foully and falsely accuses me of being a captain of Whiteboys, and demands my dismissal from the magistracy. I have come to know whether you are the author of this rascally document?"

* "Ireland and her Agitators."

Mr. A. was so thunderstruck with the suddenness—the total unexpectedness of such an accusation, that he was perfectly at a loss to know what to answer. He stammered out an admission that he had written the letter.

“Then,” said B., “walk into the house this instant, and write a contradiction to it, which I shall dictate.”

“Certainly, certainly!” said A., mechanically obeying—“By ——! my dear fellow, I always like to do what’s honest and fair—fair and honest, my dear fellow! Come in—come in! Sit down—sit down! I am always ready to oblige a friend!”

B. immediately dictated a very full and unqualified contradiction, which A. duly wrote, and of which, the instant it was written, B. took possession. He then quitted the house without the ceremony of taking leave, despite the pressing reclamations of its master, who kept shouting after him to come back and take a hit at backgammon, until he was almost out of hearing. What a character to be entrusted with the distribution of justice, and with the preservation of the peace of the country! Some idea of the morality of O’Connell’s enemies—the class of men he had to deal with—may be formed from these unscrupulous specimens, for the Protestant squirearchy were amongst the most inveterate of his foes.

There was, in 1813, in full action in Ireland, a secret conspiracy against the liberties, the social happiness, and the existence on their own soil of the Irish people. This conspiracy was not the less active nor the less atrocious because it was secret—because its operations, its rules and regulations, were unspoken, unwritten, and unseen. It was a conspiracy of the titled aristocracy against the very existence in Ireland of the Irish people. They were draining them out gradually, but surely. If it could proceed unchecked for a hundred years, Irishmen would be found everywhere but in Ireland; for the land of the fathers, the traditions, and affections of Irishmen the aristocracy were preparing to change into a burrow of Scotch rats and English badgers. The aristocracy would have few or none in their actual employment but Scotch or English stewards, game-keepers, and servants. Hence, the Irish of *that* class were forced to emigrate. The aristocracy would permit no farmer to whom they were granting a lease to build a house on his farm for a labourer. They expected that he should employ strange, strolling workmen, who were not perhaps always interested in his peace and prosperity. They hoped to degrade the peasants of Ireland into swinish, sordid boors, like the trampers of England. Hence, the

labourer who looked for a permanence was forced to emigrate.

When the lease of lands expired, the aristocracy introduced the custom of letting them to their Scotch or English stewards or factors. Hence, the original tenant, perhaps the hereditary owner of these very lands, was forced to emigrate. At the same time, the English government, whenever it had an opportunity, thrust English or Scotchmen into every situation under their patronage. Nothing remained for the Irishman in his native land but the lowest drudgery of life, the lowest degree of professional emolument, the lowest benefit to be derived from education, or the Irish wretch's last resource—emigration.

To the schemes of the aristocracy for the extermination of the people, O'Connell was an impediment, and hence the rage and fury with which their hireling journalists howled against him. In the Catholic Board he constructed a tribunal for the oppressed, which always exposed, if it did not always redress Irish grievances. Hence, the aristocracy were the enemies of O'Connell. As to his friends, he resembled a general who, before he achieves conquest or attempts victory, has to train, drill, and call his army into existence.

During the greater part of the 18th century, the people—the Catholic masses—were a political nonentity. They formed no element of power—no ingredient in the politician's calculation; the statute law had absolutely assumed their non-existence. The moral consequences of the penal gulph that divided the Catholics from their more favoured countrymen, were various. There was amongst some the reaction of deep and deadly hate. Others were awed into a social idolatry of the Protestants. O'Connell was acquainted with a respectable and wealthy Catholic merchant, who declared that when a boy at school, he felt overwhelmed and bewildered at the honour of being permitted to play marbles with a Protestant school-fellow. Every Protestant cobbler and tinker conceived himself superior to the Catholic of ancient lineage and ample inheritance; and the subdued Catholic seemed inclined to think the arrogant Protestant right. We cannot wonder that there should have been offensive assumption on the one side, and degrading servility on the other, when the law placed all the good things of the state in the hands of the few, and excluded the many from all participation in place, power, and emolument. John Keogh, the predecessor of O'Connell in the leadership of the Catholics, sought to persuade the people that silence and inaction were the best policy of the Irish. Lord Fingal was im-

pressed with the same persuasion, and alleged it as his reason for declining to preside at a Catholic meeting in Dublin. From all sides, in 1813, the exclamation was heard: "Oh, they will never get Emancipation—the government will never grant it! How are the Catholics to frighten the government into concession? O'Connell is wasting his time. He has been haranguing long enough, and has brought his dupes no nearer to their object." Affairs wore a very dreary aspect. A dismal hopelessness was creeping over the public mind. There was a cessation of the cheering, spirit-stirring political activity which had enlivened the preceding year; whilst the Catholic tenantry were, in many districts, mercilessly scourged for their anti-tithe offences.

When we look back upon those dreary times; when we contemplate the social and political depression of the Catholics and the supremacy of their enemies in all the departments of the state; when we think of the enormous influence possessed by a virulent faction; the vast array of selfish interest, deeply rooted prejudice, and impenetrable ignorance, which had to be encountered and overcome, it is really difficult to form an adequate estimate of the merits of that leader whose voice inspired the timid and the spiritless, whose judgment directed the intelligent, whose sagacity restrained the intemperate and rash, and whose influence combined together the millions

"In front of the danger
To tramp altogether,
Defying the stranger
In hail and in heather."

Meantime the Protestant papers overflowed with the most malignant vituperation of O'Connell, and boiled up with rage, scurrility, and falsehood—as if the editors published them for exclusive circulation in the infernal regions. They were never tired of reviling him, and seemed to proportion their industry in raining filth upon his head to the energy and activity he displayed in breaking up the odious machinery of oppression, which ground, crushed, and scattered to the four winds his Catholic fellow-countrymen. "Poor O'Connell!" says the *Hibernian Journal* for 1st December, 1813. "This Catholic hero—this Irish chieftain! after being wholesomely lectured by the attorney-general on Saturday last, flew for refuge to the Catholic Board, and there blubbered in salt tears about the danger the Catholics of Ireland were in by there being a great body of them of opinion in politics with the attorney-general. We are told he gave full vent to his swelling bosom, and shed tears in

the most *flaghooloughly* ludicrous abundance. Unluckily there was but a thin meeting to witness this scene of woe, as Lords Fingal, Killeen, and Trimleston, with Sir Edward Bellew, the Hon. Mr. Barnwell, &c., have long since quitted the 'august body.' We can tell Mr. O'Connell however, for his comfort, that the attorney-general's party will soon be composed of every Catholic in Ireland who has good sense, character, or property at stake."

This was, of course, unqualified falsehood. O'Connell did not shed tears; but, as some one said of the London journals of a later period—the Orange papers of Ireland in 1813 "lied like a misplaced milestone, which can never by any possibility tell truth."

Having confiscated their lands and inflicted on the Irish the most grinding oppression, the aristocracy naturally felt a deadly dislike towards the objects of their injustice. They hated the Irish. This is inevitable. To justify his wrong, the oppressor ever feels it necessary to blacken and befoul the character of his victim, and thus demonstrate that the injury suffered has been merited. Hence the loss of liberty on the part of a nation has been always accompanied by a destruction of reputation. The Protestant newspapers are written and printed to gratify this undying hate—to feed fat this satanic grudge. Hence the scurrility which is incessantly showered on the religion and the leaders of the Irish. Hence the floods of invective and torrents of Billingsgate. Hence, at every foot-fall of our pilgrimage, through time and space, the Irish are made to feel that public opinion, so beneficent when it protects, is, when it persecutes, the most cruel of all tyrants.

The following appeared in an Irish paper—*The Patriot*—in which it was published as an extract from a Scotch paper—*The Edinburgh Correspondent*: "Surely there is a great want of political wisdom and even common sense in Counsellor O'Connell," exclaims this hypocritical journal; "for he is doing all that the folly of man can accomplish to defeat the cause which he has espoused with so much ardour, and is daily raising, by his imprudent and violent harangues, more obstacles to the Emancipation for which he pleads than have been produced by all the scruples and fearfulness of the Protestant interest in either island. If it be a maxim among rulers never to yield to petulance, irritation, and menace what they had refused upon principle or delayed from expediency, these advocates of the Catholic cause are removing farther and farther from completion the kind hopes and wishes of their professed friends, and

also of the lovers of peace and unanimity who would sacrifice much for the preservation of good order, for they seem to speak for no other purpose but that of incensing the members of the administration both in England and Ireland, and with a view to irritate and estrange the feelings of the people throughout the whole empire. Besides the personal abuse which O'Connell pours upon the highest functionaries of the crown—and which, in our notions of law, amounts very nearly to a libel—he calumniates the principle upon which the government is conducted, and ascribes to the most detestable motives every measure which is adopted for the maintenance of tranquillity. He roundly asserts that ‘the principle upon which the administration acts—the very spring of its motion—is delusion and falsehood;’ that ‘the useful lie serves them at every need;’ and that ‘they eke out their political existence by consistent but detested duplicity.’ He even represents the government as endeavouring to excite rebellion among the lower classes, that they may discredit the cause of the Catholics; and hesitates not to say, ‘Their emissaries and underlings are abroad with money in one pocket, and a pardon for themselves in the other, labouring to seduce the unsuspecting, and even to intimidate into compliance the timid. They make use of every falsehood, they employ every deception—they parade the strength of a party which does not exist, and use the names of men who are ready to oppose any and every treason at the risk of their lives. The minister would give millions to parliament for any symptom of turbulence or disaffection among the Catholics.’

“But not satisfied with this attack on the government of the country—supposing perhaps that it would suit only the irritability of the higher and better-informed classes—he directs his abusive and provoking language against the people of England, whom he represents as being, from their credulous and stupid character, the fittest material for a corrupted ministry to work on. ‘The property of being duped—the gullibility of the English is notorious. No nation exists—no nation ever existed possessing such credulity; they are made to believe anything, and those who have an interest in deceiving them really dupe them to excess.’ Nay, the very language of Englishmen must not escape derision and contempt, for having something great to say, Mr. O'Connell makes an apology for not saying it at all upon the following ground: ‘There are resources in the heart-stirring, soul-subduing energies of the Irish language which I understand well (applause), and I am

quite sure it would be impossible to attempt to paint the soul in the peddling and commercial jargon of England.' Poor English! they were formerly a nation of cowards, and Mr. O'Connell again reminds them that they have been subdued as often as they have been attacked. 'But Ireland was never subdued—no, never! Ireland is the prop and stay of the British empire; and it is to the Irish people they must look to secure the fruits of those victories which Irish valour has obtained abroad.' He exhorts England for her own sake to be just to Ireland, and to season the compliment which has been paid to her imbecility, he recurs to her selfishness: 'For her own sake—by-the-by, the most efficacious mode of reasoning with England, for you can never hope to reason her into generosity, but you may bribe or frighten her into justice (great applause); and she cannot help understanding you when you ask her why is Ireland the *heel* of Achilles when she might be his right *arm*?'

"Can anything be more decidedly calculated than this conduct to turn against Catholics the current of popular feeling, and to excite suspicion and disgust among all classes of society. No wonder that petitions against Emancipation are multiplying in number and rising in urgency, when the people who pretend to represent the Romish Church display such a spirit. If the ministry attempt to reason with them through their accredited agents, Mr. O'Connell instantly exclaims: 'Who are you, ye wretches? What do you consist of—ye purchased minions—ye hirelings—ye emissaries of the most corrupted and depraved of mankind—of the murderers of Copenhagen—the poisoners of Walcheren. What have ye got to say?' If the Protestant population, noblemen and landholders, meet to take Catholic claims into consideration, they are likened to puppets, and the Catholics see very clearly not only the several motions that are made, but also the wires, the principles of communication, the prompter, and the whole trick of the stage. If the established clergy venture to express their opinion on the expediency of removing the restrictions which are so much complained of, and dare to entertain the least doubt relative to the policy of such a measure, Mr. O'Connell is at them instantly, and telling them that they have an admirable instinct in discovering what is for their interest both here and hereafter, accounts at once for their yelping and their opposition. If the people of England stir in this business, they are immediately overwhelmed with derision and contempt, pronounced dupes and cullies—poor things that can neither speak nor fight! Is this the way to

conciliate contending interests, to remove prejudice, and soothe opposition? If statesmen, nobles, clergy, and people are to be gained, by this method of procedure, to acquiesce in the demands of the Catholics, they must act for once on principles quite new to human nature. But we cannot think the orators of Fishamble-street so totally devoid of penetration as not to know that they cannot gain their ends by the means which they at present employ; and they must excuse us if we indulge a little suspicion that peace and unanimity is not the consummation which they most devoutly wish. The Repeal of the Union and dismemberment of the empire are thoughts which occasionally pass through the minds of the more violent agitators, and their language accordingly is so pointed as to dispense with all disguise, and so plain as to require no commentary. Nobody can mistake the object of the concluding part of the following extract: 'Upon the subject of the Union we may have been indiscreet, but we certainly have been candid. It may be indiscreet to alarm the ministers with the prospect of those happy effects which may flow from religious liberty—not as an act of the Catholics, but as the decision of all the Irish. This might have been indiscreet, but it manifestly had nothing secret or disguised in it. Upon political subjects, as upon every other subject, there is no policy equal to telling the truth, and therefore, whilst I declare that I never will call upon the Catholics to come to any vote on the Union, I do not hesitate to confess that the manifest advancement to the repeal of that measure, which the delay to concede our claims necessarily induced, affords me abundant consolation for the protraction of our servitude. I see that the opposition given to Catholic rights has given a shape and a body, a life and a spirit to public opinion in Ireland, which it would otherwise have required a century to form and foster. This contest brings into activity at all sides the public spirit. In the instance of many of my friends—though certainly not in my own—it displays talents fit to guide national concerns—and it supports and invigorates the exotic plant of patriotism. In short, this contest is fast forming a public mind in Ireland, which, if it once get that security in its own strength that opposition is likely to confer, Ireland will be *herself again*.'

“What ulterior views such men entertain, and in what way they could wish to employ their talents which are fit to guide national concerns, we must not even conjecture; but nothing is more evident than that religious freedom has long ceased to be the object*for which they contend, and that Catholic Emanci-

pation is now as much a question of pure politics as the license system or the orders in council. It is profanity to talk about dictates of conscience and impulses of reason; and it is approaching to blasphemy to introduce the name of God and the sanctity of his worship amid discussions in which men are interested only in opposing the resolutions of a privy council, or in discrediting the measures of a majority in parliament. Indeed, it strikes us that the agitators have the rare merit of combining deep hypocrisy with the most unmanageable violence, and that they have acquired the talent at once to cant and to storm. But as they themselves disclaim all ulterior views of ascendancy and all thoughts of a church establishment, it would therefore be uncharitable to impute such things to them as the secret motives of their violence and pertinacity. Let them, however, be quiet, and cultivate common decency in their language when they speak of people who differ from them; and let them reflect whether it may not be possible that a Protestant has a conscience, honour, virtue, and liberality as well as a Catholic. Of these good things they should not claim all that Ireland produces, and set down at once the whole mass of the anti-Catholic population as bigots, knaves, intolerants, yelpers, wretches. It is in vain to attempt an apology for this intemperate language by pleading momentary irritation and the feeling of oppression, because they exhibit an irritation which never subsides—a flame which is never extinguished. No sooner does a member of the Catholic Board assume a speaking attitude than the evil spirit of abuse takes possession of him, and the most hateful scurrility and violent invective fly out of his mouth with all the fury of Jacobin oratory. Indeed, we of this tame, monotonous country should make many allowances for the fervour of imagination and the freedom of oratorical action that characterize our neighbours in Ireland. We are not accustomed to see a man leap and dance when he harangues; and a plaudit of fifteen minutes—a quarter of an hour's downright clapping and cheering was never known east of St. George's Channel. This, however, is a common occurrence in the Catholic meetings; for if a man says he understands his native tongue, he is saluted with a cheer; and if he adds that he can express himself in it far better than in any other, the hall shakes to its foundations with repeated applauses!"

In reading the diatribes of malignity with which the enemies of Ireland assailed Daniel O'Connell, he was often in the course of his life, we doubt not, tempted to exclaim with the Scotch poet:

" Have I not had my brain seared, my heart riven,
 Hopes sapped, name blighted, life's life lied away?
 And only not to desperation driven,
 Because not altogether of such clay
 As rots into the soul of those whom I survey.
 From mighty wrongs to petty perfidy,
 Have I not seen what human things could do?
 From the loud roar of foaming calumny,
 To the small whisper of the paltry few,
 And subtler venom of the reptile crew,
 The Janus glance of whose significant eye,
 Learning to lie with silence, would seem true,
 And without utterance, save the shrug or sigh,
 Deal round to happy fools its speechless obloquy.
 But I have lived—and have not lived in vain:
 My mind may lose its force, my blood its fire;
 But there is that within me which shall tire
 Torture and time, and breathe when I expire.
 Something unearthly, which they deem not of,
 Like the remembered tone of a mute lyre,
 Shall on their softened spirits sink and move,
 In hearts all rocky now, the late remorse of love."

The most unmitigated disgust was awakened in the Catholic mind by these reiterated attacks, which only served to attach his affectionate followers still more devotedly to their chieftain. Amongst those admirers we may fairly reckon Nicholas P. O'Gorman, whose name has repeatedly occurred in the course of this narrative.

On Wednesday, the 1st of December, 1813, at a meeting of the Catholic Board, Nicholas P. O'Gorman called the attention of the members to the attacks on O'Connell with which the contemporary newspapers abounded. It was the solemn duty of the Catholics, he said, to answer the assailants of O'Connell by presenting the slandered patriot with some solid and lasting memorial which he could hand down to his posterity.

Nicholas Mahon, a wealthy merchant, warmly concurred in the opinion of Nicholas P. O'Gorman. He considered Daniel O'Connell as the best and dearest friend of his country.

Mr. Plunkett had so imperatively felt that every Catholic in the land was bound to come forward and support the undaunted, incorruptible, and inflexible supporter of the Catholic people; that, although not a member of the Board, he had attended that day for the sole purpose of declaring his determination to support him at the hazard of his life and fortune. He felt that upon this subject his powers of expression were altogether inadequate to do justice to his feelings; but he

would venture to assert, without fear of contradiction, that the man of whom he spoke was the first of Irishmen—that he lived more in the affections of the people than any other who could be named ! And it would be wonderful indeed if the fact were otherwise, for it had been his unceasing ambition to expose, at the risk of his person and fortune, the errors and corruptions of the enemies of Ireland, and to rally a genuine spirit, which had long lain dormant in this country, and which he had at length so effectually accomplished, that it would take the minister, with all his power and the treasury at his back, full fifty years to overcome it, even if the glorious career of its first mover were at this moment to be stopped. His object had ever been to rally men of all persuasions, parties, and habits, under one title—that of Irishmen ; and Mr. Plunkett thought the Board should come to some immediate resolution indicative of their conviction of his merits.

Owen O'Connor (the chairman) regretted that it should be thought necessary to delay such a measure.

Counsellor O'Gorman wished to give every member an opportunity of doing justice to transcendent desert.

Mr. Scully pronounced a speech, in which he dwelt upon the many claims of Mr. O'Connell on the gratitude of his country, the total failure of any attempts to injure him in his profession (if indeed such attempts were made at all), and declared his warm approbation of the notice respecting the testimonial of the feeling of the Board towards him. He said it was a fact notorious, that not even the late Sergeant Ball (before he got a silk gown) had more extensive practice, more general business than Mr. O'Connell enjoyed at that moment ; and those who visited the courts, and the agents and clients who employed him, knew best with what excellence that business was done. Yet, with all this, he contrived to devote more time to the public good, and to indulge the native excellence of his disposition in more acts of private benevolence, than almost any other man. As to the alleged secession, he did not think it would be becoming the dignity of the Board to entertain any specific measure upon it ; and he drew a long picture of the unpleasant situation in which, he presumed, the persons said to have seceded must be placed.

O'Connell said it had been suggested to him not to speak ; but it was impossible to listen to such language as he had just heard without emotions indescribable, and still more impossible would it be to listen to it and remain silent. When first he had volunteered as the advocate of his country's rights,

he did conceive that he had embarked in the service of an insolvent ingratitude, but never was man so completely mistaken. He had met rewards equal to the most brilliant services, when, in fact, all he could lay claim to was good intention. No form of words could convey an idea of what he felt when he heard his name coupled with encomiums so disproportioned to anything he could effect—he would not attempt an impossibility. In returning thanks to his friend, Mr. Plunkett, for the kindness of his expressions towards him, he wished to say, that in any personal controversy in which he might happen to be engaged, he required neither aid nor seconding. If he required assistance other than his own arms could afford him, he would not deserve to receive it. If a miscreant clad in the robes of an alderman had dared to introduce a personal quarrel of his into a public transaction, he owed his protection to his cloak and his secrecy. Was he (Mr. O'Connell) to meet him in the street, he would proclaim him a coward. With respect to his profession, he was only surprised at the perseverance with which clients committed their cases to him. The progress he had made had been effected in despite, in contempt of favouritism; and if his professional career were stopped by any conspiracy, he should not be astonished at it."

We may here remark that the success of the Catholic bar was little less than miraculous. Twenty years previously, Catholics were not admissible to the profession of the law. They obtained the restitution of that right in 1793, and any inquiry as to their success should date from that period.

And when the profession was thrown open to them, how were they prepared to avail themselves of it? They were fresh from enduring the penal laws for a century—laws which prohibited education and the acquirement of property—two main essentials to success. A limited number had procured, on the continent, or by stealth, a liberal education; but only a small segment of these had an income that would justify them in attempting so slow and hazardous a profession. Such was their condition twenty years previously, when a Catholic for the first time could become a barrister. And the first adventurers found many impediments in their path. The attorneys were unfriendly to them from political prejudices; the judges—from motives more ethereal; and during twenty years, the government was bitterly hostile or coldly indifferent. Yet, with all these impediments, what men they produced! They produced, in proportion to their number, five times as many distinguished men as the rest of the bar—Woulfe, Sheil, Ball,

Scully, Clinch, O'Connor, O'Loughlin, and Daniel O'Connell. To whom we may add Counsellor N. P. O'Gorman.

Nicholas Purcell O'Gorman had a strong voice, which enabled him to be heard without raising it beyond the ordinary speaking tone. His words indicated sound sense and spirited thought; but his manner of delivery was careless, unpolished, and indolent. The dryness of his manner, however, frequently gave comic effect to his wit. In the heavy outline of O'Gorman's head and figure, there was sufficient to impress both eye and ear rather unpleasantly at first; yet, in the expression of the features which lay grouped in the centre of his large face, there was something that gradually awakened your esteem—there was evidence of talent and of that quality termed good nature. Were the features, however, on canvas, unanimated by the play of feeling and fancy, the artist would be certainly censured for their slovenly and ungraceful style, which, to those unacquainted with O'Gorman, would appear a caricature of the human countenance.

At a meeting which took place on the 11th December, 1813, having glanced at the vicissitudes of Catholic history—the trials and troubles through which the Irish people had been forced to pass, Counsellor Nicholas Purcell O'Gorman asked, “Need I say in what manner the acquirements, eloquence, and courage of my learned friend were exerted on all these occasions? Ever animated and energetic—supporting, exhorting, and inspiring the people to the legal prosecution of their just claims through the constitutional mode of petition, he was always to be found at his post—whether in Dublin or in the counties—whether at this Board or in the courts—wherever, in short, Catholic rights were to be asserted, Catholic wrongs redressed, or Catholic character vindicated—there, in the front rank of your supporters—and very often alone, as on a recent occasion—was to be found Daniel O'Connell—the intrepid and incorruptible defender of his country's rights. When the Catholic Committee were forcibly dispersed, the people were exhorted by us to a peaceable and orderly demeanour. This Board—a voluntary association of gentlemen possessing the confidence of the Catholics of Ireland—have since continued to petition parliament for the people of Ireland—and our exertions have been so eminently successful that the House not only went into a committee on the question, but the bill was lost by only a majority of four. For the high grounds on which we now stand—for the advanced state of the Catholic cause, both in parliament and out of it, I contend we are principally indebted

to my learned friend. Is it wonderful then that he has arrived at the pitch of popularity which he has so justly attained? Is it surprising that he should live in the hearts of the people of Ireland, and receive an unprecedented mark of public gratitude and admiration in the unanimous thanks of every county and city in Ireland—the unbought thanks of the Irish people? Then how were the enemies of the Catholics to stifle their petitions and prevent redress? Why, nothing remained but an expiring effort to crush the popular spirit in the person of the most popular man in Ireland—to break down public spirit and feeling, by sacrificing to fury and intolerance the foremost and ablest man in the Catholic cause, the incorruptible and intrepid champion of your rights and liberties—Daniel O'Connell. The effort was accordingly made, and as a pretext was necessary, his majesty's attorney-general must make a speech at Mr. O'Connell, under the pretence, but not for the purpose of aggravating John Magee's punishment. The machinery was admirably constructed for the purpose of crushing for ever the brilliant hopes and prospects of my learned friend, and in him the Catholic cause. The scene was awful and interesting beyond example. Let me remind you of the situation he was that day placed in. I confess I felt deeply for my learned friend, but I also trembled for our cause, which then depended on him. I speak respectfully of my lords the judges—I hope I shall ever do so; but I speak the truth when I say that the passions of the court were appealed to, and endeavoured to be excited against my learned friend by the attorney-general. Did not the attorney-general attempt to draw down on our illustrious advocate the personal resentment of my lord chief justice [Downes]. Was there ever a man placed in so embarrassing a situation? His majesty's attorney-general, after four months' preparation assailing him in a speech the most personal and abusive it was possible for a man of manners or education to condescend to—the attorney-general supported by one of the ablest men our country has produced [the solicitor-general, Bushe], and by his majesty's sergeant-at-law and four king's counsel, beside minor aid. In the jury-box were to be seen arrayed Abraham Bradley King, John Giffard, and the other members of the immaculate corporation. And at his back my learned friend had what I believe he little expected, an adverse and, I might say, a degenerate bar. I allude to the misconduct of a few whose indecent proceedings made the court of King's Bench for some moments appear more like a theatre or a debating society than a grave

and dignified court of justice. But I feel proud, sir, in stating the decorous and honourable conduct of the *general* bar, and of men who, though differing as much in principle from my learned friend as the few who so indecently cheered the attorney-general, yet, in my presence, stigmatized in terms of reprobation the authors of so much impropriety. I mention this, sir, to show the critical situation in which Mr. O'Connell was placed, and the retardments and difficulties he had to struggle against—a situation from which no talents, no intrepidity but those which he possesses could have extricated him. One judge cautioning him to 'beware of what he said;' a second stating he would take the opinion of the court whether Mr. O'Connell 'should not be committed;' and a third judge warning him how he proceeded, as the court should 'call on other counsel.' I protest to heaven I thought it impossible for any man to have sustained himself under such adverse and trying circumstances; and when I saw our beloved countryman rise superior to all his difficulties, and with a talent almost superhuman fling back triumphantly and indignantly upon the attorney-general that disgrace and dishonour which were aimed at his own fair fame and professional character, it seemed to me that the great Author of his being had for the moment endued him with the compressed spirit of the gallant and insulted people whose rights he was asserting, and in whose cause he was suffering the indignities he then experienced. But what has been the language and conduct of the attorney-general in furtherance of his favourite object of putting down the Catholic cause? He calls us a faction labouring to detach the people from their lawful governors—to work a separation from England, and involve the nation in all the horrors of a civil and religious war. He calls our meetings in different parts of Ireland, 'assemblies of the rabble, and meetings of the seditious—a faction despicable in numbers'—mind this expression—'as they are in point of character contemptible and obscure.' I ask, sir, does the attorney-general think he can dupe and delude the Catholics, after making such atrocious and unfounded charges, by saying that forsooth, 'he should pay but an ill compliment to the common understanding of the loyal and respectable Catholics of the country if he did not give them the credit of discerning and distinguishing who it is that libels their character and motives?' They well know who it is that misrepresents their character and motives. They read it and they discern it in his speeches and conduct, and cannot be duped by hollow and delusive professions. . . .

Was there ever in any nation so monstrous a system? And not content with all this, we must be branded as Jacobins and traitors, and with all the vile epithets with which Mr. Burke, in his rage and fury against Jacobinism, has loaded the French revolution. And are we to bear all this calmly—in silence and without reply. If the attorney-general vilifies the people and calumniates their motives, are the people to be bereft of defenders and vindicators, except at the risk of the extinguishment of any man who may have the virtue and the boldness to assert them against their calumniators? And if the people see a system of bravado and intimidation, such as I have described, afloat, will not the people cheer and sustain the man who runs such risks for them. And here, Mr. Chairman, allow me to say that nothing has so much astonished me as the character for bravery and valour which the Irish Catholic has attained in the British army, and I often wonder how the Catholic can exhibit the same nerve and spirit that the Protestant can. The latter rises to the highest rank in the army and navy. He is cheered at the hour of dissolution in the reflection that he has fallen fighting for everything dear and honourable to man—for that constitution the full benefit and highest stations of which he might enjoy. If an admiral or a general, he is sure to have honours paid to his memory, and to have statues erected to him. How is it with the Catholic in the hour of extremity and dissolution? He has sacrificed his life, and for what? An ungrateful country! What are his consoling reflections in his death moments? I will tell you, sir. He has the great consolation of reflecting that the victory which has been achieved fixes more permanently in power the faction or administration which is founded on principles hostile to his freedom and religion. He has the further happiness of reflecting that the victory which has been purchased by his blood, so far from insuring to his relatives and friends respect and sympathy or even forbearance, visits them with additional insult and degradation. Am I speaking of anything chimerical or fanciful? Is it not what we all see and every day experience? The news of the victory arrives. What is the next step? The Orange flag is immediately unfurled, and 'Down with the Papists!' is the cry. Illuminations and rejoicings take place, not more from the discomfiture of the enemy than from the imagination that the Catholic cause is depressed. Is this fancy or fact? I leave it to every man's experience whether, on the arrival of victory our Orange tyrants do not point the finger of scorn and insult at the Catholics, and exult in it more

as a victory over the Papists than over the common enemy. How then can we account for the undaunted valour of the Catholic soldier under such discouragements? I know no other way of accounting for it than that recklessness of life from his situation at home, and wishing to put an honourable period to his misfortunes, he seeks in distant countries an honourable and glorious termination to an existence embittered at home by contumely, insult, and ingratitude; or, that well versed in the principles of his religion, he recollects the great type of our religion who died amid the scoffs and scorn of an ungrateful and stubborn generation. I have to apologize, sir, for this digression. I have exhausted both you and myself. I repeat it, I am influenced by no motive, private or personal, to my learned friend. An attempt has been made in his person to put down the Catholic cause; it is your duty to sustain him by offering him the tribute of your gratitude, contained in the resolution which I now have the honour to propose. It is inferior to his merits:

“ ‘Resolved—That a service of plate, of the value of 1,000 guineas, be presented to Daniel O’Connell, Esq., on the part of the Catholic people of Ireland, as a small tribute of their gratitude for the unshaken intrepidity, matchless ability, and unwearied perseverance with which, in despite of power and intolerance, he has uniformly asserted the rights and vindicated the calumniated character of his Catholic countrymen.’ ”

“ ‘Resolved—That the following noblemen and gentlemen do compose a committee for the purpose of carrying the above resolutions into effect:—The Viscount Netterville, the Lord Ffrench, Purcell O’Gorman, Owen O’Connor, George Bryan, Henry Edmond Taaffe, Nicholas Mahon, and Randal McDonnell, Esqrs.’ ”

“ ‘So rich and inexhaustible are the merits of O’Connell,’ ” said Denis Scully—“ so familiar is his extraordinary and admirable character to the minds of all Irishmen, that every one might dilate on it with gratification. I have ever acted on one great principle with respect to men and measures—adhering always to those I find the best and the most efficient without regard to rank or wealth, or any other of those adventitious circumstances which serve to throw lustre upon things. For about eight years, which is the period of my connexion with the Catholic affairs, I have had frequent opportunities of observing the character of the gentleman who is the object of this motion, during all which time every part of his conduct has but enhanced the esteem which his first exhibition inspired.”

The speaker then proceeded to draw a contrast between the characters of O'Connell and Saurin, and concluded by cordially seconding the motion introduced by N. P. O'Gorman.

The next speaker on this occasion was Counsellor Finlay.

Of that brilliant cluster of bold and intellectual men who constituted the nucleus of the Catholic Board, and who by pleading for its rights inspired Ireland, in 1813, with renewed hope and vigour, Counsellor Finlay was by no means the least able. It was whispered—indeed he stated it himself—that his father was a peasant; and, according to the gossip of that day, he had been educated by the Catholic bishop of Derry, who of course reared him a Catholic. It was likewise rumoured that, having entered Trinity College as a sizar, Finlay had read his recantation in that establishment. Be this true or false (we believe it to be *false*), it is quite certain that Finlay was a most estimable man, possessed of great intellectual powers, a true Irishman, an able advocate, and a sincere patriot—beloved by all who knew him, and of infinite service to the Catholic cause. In his private conversation a certain incoherency, an odd, rambling inconclusiveness was perceptible, which riveted the attention of his hearers, but conveyed the idea that he was excessively eccentric, not to say touched, in his intellect. But when he rose to speak in a public assembly he was a different man—his logic was sound, his arrangement masterly, and his rhetoric ornate and fascinating. He wielded a powerful and trenchant pen, and published a collection of essays which exhibited a wide range of information, and attained considerable popularity, though the style is somewhat stilted. He was a comely man, with a face at once vulgar and intellectual, which never failed to prepossess a popular audience in his favour. He came forward to assist the Catholics in their struggle for liberty precisely like his fellow-Protestant Phillips, and like him contributed powerfully, by his bold and hearty addresses, to inspire them with intrepidity, cheer them with hope, and animate them to perseverance.

On 11th December, 1813, Finlay pronounced the following eulogium on O'Connell. He said: "When a man steps forth from the ranks of tranquil life, and devotes his time to public interests, he avows that he employs himself in that which is equally the business of all. Thus the public, in whose service he starts a volunteer, are placed in censorship over his words and actions; and the members of the community protect themselves from self-reproach of civic inaction by scrutinizing his motives with all possible doubt, and accounting

for his acts with the least possible charity. This caution, though sometimes unfair, is seldom unreasonable ; it is frequently justified by the event, and always allowable under the principle that no class of men should be more suspected than patriots, because no class has produced more impostors. But this suspicion, like everything else, should have its limits ; and there is a length of time—a quantity of fidelity beyond which jealousy or suspicion cannot exist without injustice to its object. Time is the ordeal of patriotism. To preserve a patriot's purity, it is not expected that he should be always *right*, because he cannot be always *wise* ; but it is necessary that his acts should be always well-intended, because he may be always honest. Therefore when time has essayed and established the fairness—not of his acts, but of his intentions, his exertions, his talents, and his purpose, it then becomes the duty of the people to repay, by an increased portion of their gratitude those doubts which their caution compelled them to entertain. Ten years have tried the fidelity of O'Connell ; and you stand now indebted to him in the article of gratitude, not only for the quantity of service conferred, but the time during which the trial has been protracted and the expression of your collective gratitude deferred. This line of reasoning applies to every free country, but it applies in a more particular manner to Ireland. In Ireland there is one simple division of its inhabitants—Catholic and Protestant ; religion, in truth, makes no part in the political results which flow from this distinction. Protestant is another word for the possessor or expectant of place ; Catholic, another word designating whom the law excludes. Thus, power, place, patronage, and a large portion of franchise being, in fact, denied to the great majority and confined to a few, they become real property in the hands of their possessors ; and unless their possessors be endowed with no common portion of disinterestedness, they have every motive derivable from self to examine with severity and interpret without charity the motives and conduct of those men who would destroy that property by the generality of its diffusion. Therefore the advocate of Catholic Emancipation appears in greater or less degree of hostility to every Protestant in his country who has not the virtue to dismiss the calculations of self ; therefore, the advocate most efficient, prominent, and persevering presents an aspect of political hostility, varying its phases exactly in proportion to the degree of self-love which sways the motives of those Protestants to whom he is an object of observation ; and for this reason, Daniel O'Connell is hated

by some, disliked by many, and cannot, in the nature of things, depend for approbation on any Protestant not purely disinterested; therefore, he must suffer from calumny exactly as long as you must suffer from injustice, and the amount of injury in this way inflicted is the exact measure of reparation which mere justice should prompt you to compensate. The permanency of his country's affection is the only species of remuneration to which he ever looked forward. The vulgar value of the certifying instrument is a matter of indifference to him, and should not be a subject of deliberating economy with you.

“Such are the disadvantages, moral and political, which, for a time, must always operate to obstruct the actions and obscure the motives of him who struggles for the public good. The moral disadvantage applies to all countries; but the moral and political unite in Ireland. There is a third disadvantage, if the patriot be a lawyer, which I shall call a professional disadvantage. The bar is an educated, enlightened community. It has been truly said that the pursuit of the law exercises in its study the noblest faculties of the mind, and engages in its practice the cardinal virtues of the heart. Ambition is a passion suitable, perhaps essential to a barrister; but, in the mind of all who are not great or good, envy is the inseparable handmaid of ambition. In the barrister's career to professional success, the course is so narrow, the competition so violent, and the prize so important, that all praise is rigorously denied except when extorted by unquestionable desert. Thus, then, where a man happens to unite the characters of a patriot, an Irishman, and a barrister, there is a threefold censorship imposed o'er his conduct, which nothing but eminent virtue can sustain, and which, if sustained, cannot well be over-rated. Eminent and prominent in these three relations, history will describe Daniel O'Connell spotless in the relations of private life, matchless in the duties of private friendship, beloved by every man who knows him, esteemed by all who have not a prejudice or an interest in disliking him; with manners that instantly disarm hostility, there never yet was a man introduced to him for the first time, under prepossessions to his disadvantage, that did not feel his dislikes hastily evaporating, and depart from the conference a convert to esteem. At five in the morning you will find him in his study; at five in the evening you will probably find him still labouring in the public service; if you cannot find him thus employed, you may be almost certain of finding him at home. I never knew any man of equal industry; I never thought that any man could be so indus-

trious. No man at the bar labours more in his profession, and no man at the Board labours so much in politics ; but to labour so much and to labour so well, far exceeds the common notions of human capability. Social and sober, polite and unceremonious—cheerful, affable, candid, and sincere ; proud with the haughty and meek with the humble, his frown rebukes arrogance to inferiority, and his smile lifts humility to his own level. His virtues cannot be indifferent to you ; they should be objects of your care, for they have been agents of your interest. Such a man, in difficult times, volunteered as the advocate of the press and people.

“The apathy that followed the measure of the Union had depressed the nation to political indifference. Lord Clare had declared, in the British House of Peers, that the Catholic people felt uninterested in the question of Emancipation. It became necessary to correct the error or the fact. The two great pillars on which Emancipation could be raised were the exercise of a free press and the exercise of the right of petition. O'Connell started as the advocate of both ; and here commenced the political hostility between the interested advocate for the governor, and the disinterested advocate of the governed—that is, between Saurin and O'Connell. Those two pillars of Emancipation were assaulted alternately by the attorney-general. A new and severe tax was imposed on the press, in the expectation that men would be discouraged from embarking their property in a speculation or enterprise so hazardous as an independent journal. The experiment failed ; the press was not weakened—it was strengthened ; and those who had been the friends, became the enemies of the Irish government.

“This attempt against the press was made during the ministry of Mr. Foster ; the next attempt was against the people, and during the ministry of Mr. Pole. A proclamation was issued against the manner in which the people exercised the right of petition ! A circular was issued, which every magistrate in Ireland felt it his duty to disobey. It appears, by the declaration of Mr. Pole, that this circular was the suggestion of Mr. Saurin. It appears, by the highest law authorities in England, that it was a composition of which a lawyer should be ashamed. *Ex officio* informations were poured in abundance against the Catholic peers and gentlemen who presided at the Catholic meetings. The Convention Act, enacted many years before, was called into action against the people. The next attempt was against the press. The press was at-

tacked by every mode of attachment, information, and indictment. The most objectionable mode—*attachment*—was first resorted to. The cry became loud; and the less objectionable mode of information was next resorted to; and as the cry became louder still—this usual and more constitutional mode of indictment was fixed upon.

“Mr. Saurin, ambitious of a character for lenity, has lately declared, in his motion for an aggravation of punishment, that he had not prosecuted more than *three*. Of his majesty’s attorney-general I should not wish to speak without deliberation; it might be unbecoming—it might be unsafe; I am not inclined to speak disrespectfully, *or otherwise*. I must not in politeness or in prudence contradict, but when he states as a fact, that of the press he never yet prosecuted but *three*, I may be permitted to say without offence that this is an assertion which, consistently with a good conscience, I dare not to affirm. It is certainly true that he did prosecute the *Irish Magazine* for the article called ‘The Painter Cut;’ secondly, Mr. Fitzpatrick, for the ‘Statement of the Penal Laws;’ and, thirdly, Mr. Magee, for the article against the Duke of Richmond—these are *three*. But it is equally true that he did prosecute the proprietor of the *Freeman’s Journal*, by that most objectionable mode of prosecution, an attachment—and that he did obtain that attachment! and that Mr. Harvey, under the apprehension of its execution, was for a year confined to his own house. I can say this is true, for I was present at these motions. This reckons *four*. It is equally true that he moved for another attachment against each of two proprietors of the *Evening Herald*, and although the court of King’s Bench unanimously pronounced the libel to be nonsense, they granted him the attachment—with their opinion that he ought not to execute it! This I know, for I was counsel in the cause. Then reckoning this prosecution against two as but one prosecution, I say this makes *five* prosecutions. It is equally true that he at the same time filed an *ex officio* against the *Herald*. This I also know, for I was counsel in the cause. This reckons *six*. It will not be denied that he also issued *ex officio* informations against the *Correspondent* and *Freeman*. These make *eight*. He also issued, of late, two *ex officio* informations against two Kilkenny papers for publishing the resolutions of public bodies. These make *ten*. He says *three*—I say *ten*. Does he mean to say that he only prosecuted three to conviction? The fewer he prosecuted to conviction compared with the number that he did prosecute, shows his

want of ability rather than of will, and gives no claim to a character for lenity; but even reckoning those that he prosecuted to conviction, he does not count fairly. He only reckons, even in this sense of prosecuting, Cox for one. I say he prosecuted Cox for three, and obtained conviction for two. Thus, taking prosecutions for convictions, he is not right; and taking prosecution in its proper sense, he should have said *twelve* instead of *three*. In addition to this, I am informed that he issued *ex officio* informations against almost all of the publishers of Dublin on the subject of the 'Statement of the Penal Laws.' Then where is the ground of his boast of lenity? Finally, the Irish attorney-general, after having produced one sleeping statute against the press, brought forth another against the people—the Convention Act against the people, the Stamp Act against the press—both enacted in bad times; neither of them were enacted in England—neither of them before used in Ireland. The operation of this Stamp Act was to extinguish the property itself, or at least wrest it from the owner's hand. Mr. Magee was obliged to part with his property; but though an unprecedented act of power tore his property from him, he took care that it should not be torn from the service of the country.

"Mr. Saurin having so far succeeded, by every usual and unusual mode of prosecution against press and people, finally attacked the advocate of both. His speech for his client was the ground of complaint. An attempt was made by the partizans of power to injure his professional character, by insinuating that he had, by his defence, injured his client; and the unbecoming rumour was spread abroad, that the manner of the counsel should mete the measure of mercy—that had Mr. O'Connell been more merciful to Mr. Saurin, Mr. Saurin would have been more merciful to Mr. Magee; but this insinuation lost its force—it was very well known to every one, and to no one better than to Mr. Magee, that tenderness was not among the weaknesses of his prosecutor.

"The object of the motion in aggravation was, in truth, to punish the advocate for the defence. Mr. Saurin insinuated ulterior proceedings, and the benchers were sounded on the subject of stripping the advocate of his gown! Many severe philippics had been pronounced at the bar before. Yet such measure was never attempted. Lord Clare has been compelled to look at a portraiture of his own vices, presented to his eye by an immortal advocate; but he never dreamt of punishing the advocate by law. He has spoken in the se-

verest terms in the House of Lords respecting the philippic on the trial of Finnerty ; but he never thought of any proceeding of this description. The solicitor-general admitted it was a most extraordinary proceeding ; and his apology for this most extraordinary proceeding was, that it was an extraordinary speech ; but what was the amount of blame imputable to the speech ? I omit the appeal to the passions of the chief-justice—an appeal which in decency should not have been made, and which never could be made with decency. This being omitted, what is the amount ? The composition of that jury, and the distribution of justice in this country. As to the distribution of justice, I shall be very cautious in speaking on that subject—it appears to give particular offence. I do not wish to lose my gown ; I cannot afford it as well as O'Connell ; but I hope I may say this much without losing my gown—that a considerable prejudice exists on the subject. I lately heard a peasant say : ‘ Oh, sir, it requires a great deal of interest in this country for a poor man to get a little justice ! ’ This prejudice is very widely spread. I do not boast of a particular strength of mind, and therefore plead guilty to the infirmity of being occasionally affected by this prejudice myself. As to the business of selecting juries, the fact cannot be denied, that the religion of a Catholic operates as a challenge to exclude him from juries in every criminal case of importance. The juries, without one exception, have had no Catholic in any crown prosecution in which the attorney-general has been engaged. These two topics were the objectionable parts, for I cannot suppose that extracts from history constitute crime. These two topics were the ground of offence ; so that in future it will be safe, perhaps necessary, to *believe* that the juries are selected equally and indiscriminately, and that every judge and every juror is beyond all exception. ‘ ’Tis unsafe to blame them,’ said one public accuser ; ‘ and it is more unsafe to praise them,’ said the other. ‘ They have a right to be angry with their libeller,’ said Mr. Saurin ; ‘ and they have a greater right to be angry with their panegyrist,’ said Mr. Bushe. God help us ! How are we to speak of them ? Act upon both opinions—say nothing at all upon the subject.

“ I lament that this discussion has arisen here ; for notwithstanding Mr. Saurin’s reliance on the respectable Catholics, I don’t see any Catholic, respectable or otherwise, who here appears disposed to defend him, although some are of opinion that he requires some defence. Therefore I am sorry that his conduct is discussed—but he challenged you to it. He

sent you an issue, and it becomes necessary for you to return him his verdict. Why should he rely on the Catholics? He has used against the press and the people every species of prosecution, legal and severe—common and uncommon. He has brought forth two statutes, one against the press, the other against petition—both unused before, both strangers to the law of England; he has issued circulars and summonses to his own house, both rebuked by high law authorities in England; and he is the first attorney-general who ever in Ireland made a motion in aggravation. Was it just that his Stamp Act should tear from John Magee the property of a paper which he had convicted? And if it was, is it just that it should also deprive him of the property of another paper which *was not convicted*? Are these the grounds of his reliance? Why then he rests upon a broken reed. As he asks, give him a verdict, and express your condemnation of his conduct by the honours which you pay to the object of his persecution.

“It is your duty to hold up O’Connell. It has been said with some truth that no man ever yet yoked his fortunes to the fate of Ireland who was not ruined by the connexion. The Catholic cause is of considerable weight, but it is said its weight has often operated rather to sink than float its adherents. Contradict those imputations. Give me now, in the instance of O’Connell, a practical proof that this rumour is untrue; and in doing so, make not this an occasion to express your respect for the virtue of economy; parsimony at best is amongst the minor virtues; it is a personal attribute—it should make no part of a people’s character when developing their affections to a great man for great services in a great cause. If you do exercise it upon this occasion, it may be said in fact, as it must be said in law, you do not represent the benevolent purposes of my generous countrymen. Power has attempted to put down O’Connell; it is the people’s interest to hold him up. What would you do without him? Who would you get like him?

“In his political and forensic capacities, his enemies allow he possesses two qualities always essential, not always combined—an intrepid advocate, an honest patriot. A clear head, an honest heart, and a manly purpose, though seldom united are united in him; and necessary for you. He resembles Mr. Whitbread in that every-day working talent which does the business of practical usefulness, and which in both, curious to say, is compatible with eminence of talent—a sort of talent that does not work itself down—that, like the memory, gathers

vigour from its toil, and, like the bridge of Cæsar, acquires strength and solidity from the very weight of its burden. Therefore Whitbread, in real usefulness, is worth half of the opposition—he is, in fact, an opposition in himself; and so it is with O'Connell.

“Compared with such a man, what are the dozens of periodic orators who, like myself, occasionally come forth with a holiday speech, decked in the finest trappings of our eloquence. Give me the man who is not afraid to lose character by every-day work—who will speak well to-day and ill to-morrow. Every man who speaks often, must sometimes speak ill. Health, indisposition, constitution, fits of dulness, many things may cause it; but give me the man who will not avoid speaking when necessary because he may speak with less effect—who will not deem it necessary to let the soil lie fallow in order to give value to the future production—who in truth is more anxious for the public service than his own fame, and who in public attention rests upon facts and not upon phrases.

“These talents are now yours—you should prize the highly gifted honest owner; fighting the battles of his country, he stands exposed to the shafts of angry power. Let Hibernia, in whose cause he acts and suffers, cover her patriot with her ample shield:

‘Let him but stand in spite of power,
A watchman on the lonely tower;
His thrilling trump will rouse the land,
When fraud or danger is at hand;
By him, as by the beacon light,
The pilot must keep course aright.’

“But if he, like many others, should be fated to endure the ingratitude of his country—if he should be placed in the midst of useless friends and implacable enemies—if his enemies should gratify their purpose against him:

‘Then is the stately column broke,
The beacon light is quenched in smoke,
The trumpet’s silver sound is still,
The warden silent on the hill.’”

Such was the eloquent eulogy which Counsellor Finlay pronounced on Daniel O'Connell at a time when the latter had given but eight years to political life. It was a eulogy which O'Connell unquestionably merited; his deep affections, his mounting hopes, his manly courage, and herculean labours, deserved that panegyric. He had earned it by his patriotic ardour and religious sincerity—his heart-whole devotedness at once to the country of his birth and the faith of his ancestors.

The *Hibernian Journal* (Giffard's paper) for 18th November, 1813, contained a paragraph entitled, "Growth of Popery," which excited in O'Connell's breast indescribable indignation. In this paragraph the journalist mourned over the fact that Castle Browne, in the county of Kildare, a magnificent edifice which in building cost £26,000, had been "purchased by a party of Jesuits for only £16,000." "Ireland," adds the journalist, "now stands in imminent danger. If Popery succeeds, our fairest plains will once more witness days worthy to rank with those of Bloody Mary; and the walls of Derry shall again become the lamentable bulwarks against Popish treachery and massacre."

The opinion which O'Connell entertained of the Jesuits differed very widely from that of Giffard, and hence his indignation on reading the preceding paragraph. He was desirous the Jesuits should establish themselves at Castle Browne, because he knew their educational system must confer inestimable advantages on the rising youth of Ireland. Their history awakened his sympathies; he knew that throughout all Catholic states they may be said to have established the first rational system of college education. Other orders, such as the Fathers of the Christian Doctrine, instituted in 1571; the Clerici Scholarum Piarum, of 1617; and the Brothers of the Christian Schools, or Ignorantins, of 1671, applied themselves more especially to the elementary education of children—a branch which the Jesuits did not altogether neglect. Their colleges were equally open to the noble and plebeian, the wealthy and the poor—all were subject to the same discipline, received the same instruction, partook of the same plain but wholesome diet, might attain the same rewards, and were liable to the same punishments. In the school, refectory, or play-garden, no one could distinguish the son of a duke from the son of a peasant. The manners of the Jesuits were singularly pleasing, urbane, and courteous—far removed from pedantry, moroseness, or affectation: their pupils, generally speaking, contracted a lasting attachment for their masters. At the time of their suppression, the grief of the youth of the various colleges at separating from their teachers was universal and truly affecting. Most of the distinguished men of the eighteenth century, even those who afterwards turned free-thinkers and railed at the Jesuits as a society, had received their first education from them; and some of them have had the frankness to acknowledge the merit of their instructors. The sceptical Lalande paid them an honest tribute of esteem and of regret at their fall. Even

Voltaire spoke in their defence. Gresset addressed to them a most valedictory poem.—“*Les Adieux.*” The Bishop De Bausset, in his “*Vie de Fenelon*,” has inserted a most eloquent account of the institution of the Jesuits, of their mode of instruction, and of the influence which they had, especially in the towns of France, in preserving social and domestic peace and harmony. For the Jesuits did not exclusively apply themselves to the instruction of youth; grown-up people voluntarily sought their advice concerning their own affairs and pursuits in life, which they always freely bestowed; they encouraged the timid and weak, they directed the disheartened and forsaken towards new paths, for which they saw they were qualified; and wherever they perceived abilities, good-will, and honesty, they were sure to lend a helping hand. The doors of the cells of the older professed fathers were often tapped at by trembling hands, and admittance was never refused to the unfortunate. In private life, at least, whatever may have been the case in courtly politics, their advice was generally most disinterested. It has been said that they excelled in the art of taming man, which they effected—not by violence, not by force, but by persuasion, by kindness, and by appealing to the feelings of their pupils.

Knowing all this, as O'Connell unquestionably did, we cannot be surprised at his boiling indignation when he saw this venerable society assailed in *The Hibernian Journal*.—Speaking on the 24th December, 1813, he said: “Under the date of the 18th of last November, a newspaper in the pay of the Castle has the following tirade, upon the occasion of the seat called Castle Browne in Kildare, having been, as it asserts, purchased by Jesuits: ‘Ireland stands in imminent danger. If Popery succeeds, her fairest plains will once more witness days worthy of Bloody Mary; and the walls of Derry shall again become the lamentable bulwarks against Popish treachery and massacre!’ Well, this from men who hate the expression of any kind of bigotry—who are in a rage at Dr. Dromgoole for using the word ‘novelty’ in a disrespectful sense! It is, one would think, rather uncivil. ‘Papist treachery and massacre’ are perhaps nearly as bad as ‘Protestant novelty.’ But this is a mere jest compared with a paragraph which I found in a government paper of the 2nd of this present December. Hear it with patience: ‘The letter of Cranmer (alluding to a letter inserted in that paper) shows the times respectively when each of the fundamental tenets of Popery were invented—viz., the power of the Pope to dispense with oaths, and depose sovereign

princes by absolving subjects from their oaths of allegiance ; the nullity of oaths to heretics ; their extirpation as a religious duty !' Recollect that it is not a mere isolated individual ; it is a man patronized and salaried by the administration—a man paid with our money that has the effrontery to traduce us thus—to attribute to us, as fundamental tenets, doctrines of perjury, murder, and treason ; doctrines which, if they were those of the Church of Rome, I would not belong to her communion for an hour—doctrines which shock humanity and would make religion the most cruel and the most absurd mockery !”

When examined before a parliamentary committee on the subject, the Duke of Leinster seemed strangely puzzled and perplexed about his neighbours, the Irish Jesuits of Clongowes College. “It is the most curious establishment I ever saw !” exclaimed his lordship in bewildered surprise. “The boys are well brought up”—a circumstance which seems to have been the source of his wonder—“there is a public examination every year,” continues his grace, “and fellows of Trinity College, Dublin, are invited to go down ; and the fellows have a list of what classics they are to examine them in, and the answers are wonderful !”

“Is it not professedly an establishment for Jesuits ?” he was asked.

“Yes, they are Jesuits,” answered the duke, “for I met them in Italy.” We shall not venture to inquire if this be conclusive reasoning ; but it appears to us—with great respect for hereditary intelligence—a *non sequitur*. It does not follow, in our opinion, that because the duke met certain persons in Italy, they were therefore Jesuits ; but this is doubtless the logic of aristocracy, and we shall not venture to impugn so illustrious a science. We, nevertheless, prefer O’Connell’s reasoning. O’Connell was asked, “Do you know the circumstances under which the College of Clongowes is called a Jesuit establishment ?” “The order of Jesuits,” replied O’Connell, “is restored in the Catholic Church. A man has as much a right to be a Jesuit in Ireland as to be a lawyer there ; they had property—they were Irishmen, and they preferred vesting that property in Ireland for the benefit of the Irish youth.”

Ireland is indebted to the patriotism of Dr. Betagh for the establishment of Clongowes College, for, under the black gown of this philosophic son of St. Ignatius, throbbed the warm heart of an Irish patriot. Immediately before the foundation of the Jesuit College of Clongowes, Irish youth were sent to

the Jesuit College of Stoneyhurst. The number of Irish boys in the latter establishment was commonly less than half that of the English. They were generally inferior in station, though many were the children of the best Catholic gentry in Ireland. There existed among the natives of the two countries a strong rivalry, which was occasionally wrought up to animosity. The favourite game of the school was a very violent one, called foot-ball. The Irish were marshalled at one side of a large field, and the English at the other. When they became heated, the boys showed a spirit of antipathy which reminded one of the feuds of the two countries. In general, the English were more successful, because they showed more prudence and self-control, and were more numerous. The Irish were so precipitate and headlong as often to lose the victory when on the point of gaining it. The same emulation ran through their school exercises. Wherever attention and assiduity were required, the English were often superior; but in matters of brilliant genius, the Irish went far beyond them. This was particularly observable in their declamation, in which the Irish were unquestionably far more accomplished. The Jesuits themselves were all Englishmen, and their Irish pupils thought the fathers occasionally betrayed that contempt for Ireland which is exceedingly observable amongst English Catholics. We should not have adverted to this circumstance if it had not contributed to the production of an event to which we have already alluded. We mean the establishment of the College of Clongowes. There was a sum of £16,000 in the hands of Father Betagh, the last of the Irish Jesuits who had survived the abolition of the order. This sum had been bequeathed to the old priest by Father Callaghan, who held it himself in trust, and left it for the purpose of having a Jesuit college built in Ireland. Father Wright, an English Jesuit, brother to the banker, suggested that Ireland ought to be annexed to the English province, and that the money should be sent to Stoneyhurst. Father Betagh, however, who dreaded everything English, resisted Father Wright, who applied to the general of the Jesuits in order to effect his purpose; but the Irish Jesuit countermined his Anglican brother, and in place of swelling the coffers of Stoneyhurst, the fund was laid out in the purchase of an estate in Ireland, and in the establishment of the College of Clongowes.

Though Father Betagh declined to transfer the fund belonging to his province to Stoneyhurst, it was arranged that a certain number of young Irishmen should be sent to Stoneyhurst

to be educated for the order, and that the expense of their education should be defrayed from the Irish treasury. Accordingly several young men went over with Mr. Kenny, subsequently president of Clongowes, at their head. They were treated, as they themselves alleged, in a very cold, supercilious English fashion. Much discontent prevailed amongst them ; and in consequence of their complaints, the general of the order gave directions that they should be dispatched to Sicily for the purpose of completing their education at the Jesuit college of Palermo. They were accordingly shipped off. This separation completed the breach with the English province. Had the embryo Jesuits, who were transmitted from Ireland, been more cordially received, an ultimate junction of both funds might have been accomplished. The Hiberno-Sicilians, however, on their return from Palermo, exhibited an alienation in which nationality, coupled with their reminiscences, had some share, and rejecting all co-operation with the English Jesuits, founded the College of Clongowes. On its first establishment, in 1813, Robert Peel, who was then secretary for Ireland, sent for Doctor Kenny, to interrogate him. The latter attended, having, it is said, first obtained some judicious suggestions from Denis Scully, the author of the celebrated book on the penal code. Peel had no right whatever to summon Father Kenny to his presence ; nevertheless, the reverend gentleman obeyed, and answered his interrogatories with such an appearance of simplicity, candour, and manliness, as took the secretary quite aback. In fact, the Jesuit, who was really one of the ablest men Ireland ever produced, proved in this interview more than a match for the Orange secretary. His intellect was immeasurably superior to that of Peel. "I understand that you have money in the funds," said Peel. Father Kenny admitted that such was the case. "Are you not aware that we can confiscate that property?" "To a mercantile nation like England," said the Jesuit, "a character for honesty and good faith is quite as necessary as to an individual trader. Money confided to the keeping of the English government must be safe from confiscation, because the nation which would rob the depositor must forfeit that reputation for honesty without which commerce cannot be successfully or extensively pursued. On that point I have no apprehension. Nevertheless, your government may attempt, and they certainly have the power to effect such a violation of the rights of property," added Dr. Kenny ; "but in doing so they will violate the maxim of Lord Chatham, whose statesmanship you profess to

hold in veneration. As you may not recollect the circumstance at this moment, suffer me to recall it to you. It having been suggested to him, to lay hold of the monies lying in the English funds in the names of natives of France with whom war was waging, 'No, no,' said he; 'if the devil had money in the English funds, it should be held safe for him!' On taking his leave, Father Kenny tendered a piece of advice to Mr. Peel—"I understand that you have a son?" said the Jesuit. The secretary assented. "I can assure you, with the veracity of one whose duty it is to be truthful, that if you send him to our college, we shall make him a sound scholar." At which Peel laughed heartily, and the Jesuit and the statesman parted excellent friends.

On his examination before the committee of the House of Commons, which took place in 1825, O'Connell was asked if considerable funds had not been transmitted from the continent, for the purpose of founding ecclesiastical seminaries in Ireland. He answered: "The only funds I know of, to any amount, are those which the Jesuits have applied for the purpose of establishing colleges in Ireland. I allude to Clongowes and its branches." Having been consulted by some friends of the order as to the purchase of this estate by the Jesuits, it was the opinion of O'Connell that they, and indeed every Catholic, should purchase, if possible, forfeited land—we mean estates which were originally in the hands of Catholics, but had been torn from their grasp and bestowed subsequently on Protestants. His reasons for this opinion throw some light on the then condition of Catholics. "In advising a purchaser to buy," said O'Connell, "I infinitely prefer that it should have been a forfeited property, for this distinct reason—that the origin of the title is easily traced; for after the usurpation [of Cromwell], all those who obtained forfeited property took out patents for it; and therefore we easily find the patent, and direct the searches merely for subsequent periods—so that I take it to be an additional advantage, in carrying an estate to market in Ireland, that it was a forfeited estate. I myself, in the small property I possess, have lands that were forfeited. Circumstances," added O'Connell, "having placed me a good deal in the confidence of wealthy Catholics, and knowing a good deal of their purchases, I do not think I can call to recollection the purchases by Catholics of anything but forfeited estates."

When Dr. Doyle was asked by what funds the Jesuit college at Clongowes was supported, he said: "By the pensions received from the young gentlemen who are educated in it."

"Have they not an estate or property?" "They have purchased the house in which they reside, with a piece of land attached to it," said the bishop—"I do not know the number of acres." "Do you know who purchased it?" "I believe it was Mr. Kenny." "Are they of any particular order of ecclesiastics?" "It is said they are Jesuits," replied Dr. Doyle." "Are you aware whether they are or not?" "I do believe they are. Among the Jesuits they are reputed such; but then the Jesuits in these countries are not recognized as a corporation, like the other religious orders. And if they be Jesuits, as I believe they are, they do not seem, so far as I can understand, to act in any other capacity than that of individual clergymen collected together. They sometimes exercise the ministry in the diocese of Kildare; but they do so by authority derived from me and subject to my control." "The expense of education there is high—is it not?" "I believe their ordinary charge is fifty pounds or guineas a-year," said Dr. Doyle. "Then the class of pupils educated there is necessarily of a high order?" "They are very respectable indeed." "Are you aware how many ecclesiastics are employed in the superintendence of the establishment?" "I suppose there cannot be fewer than twelve or fourteen." "Are there any foreigners among them?" "There is one who, I believe, is a Pole; he seems to me to be a German or a Pole. The others are all Irish." "What was the amount of purchase-money of Castle Browne—what was the capital invested in that establishment?" "I may be very wrong in what I say; but, to the best of my recollection, I think it cost £16,000."

O'Connell, when examined before a committee of the House of Lords, was asked: "Will you state what you know respecting the purchase made for what you suppose to be a college of Jesuits?" "There is at Clongowes, in the county Kildare," replied O'Connell, "a college of Jesuits. They purchased a domain that belonged to a Mr. Wogan Browne, who had died. He was a gentleman who had been a Roman Catholic, became a Protestant, and was a member of the Irish parliament. I believe his brother was a general in a foreign service.* It was purchased, as I understood, and have no doubt upon my mind, with the money of Irish Jesuits; their funds had accumulated during the suppression of the order, and upon the restoration they purchased it for the purpose of establishing a college for the education of Irish youth."

In the eyes of the Irish Protestants the real offence of the

* See page 220.

Jesuits was not their religion, but their learning and their power of communicating that learning, and of training the intellect of the rising generation—thus cultivating latent talent into active and perhaps irresistible power. Hence the alarm with which the aristocracy contemplated the establishment of the Jesuits at Clongowes; hence the clamours of the anti-national press.

It is singular that the Norman and Saxon should betray such quenchless hatred of the arts, letters, and civilization of Ireland. Elsewhere desolation marks the spoiler's track—elsewhere rapine, cruelty, and lust, with a train of minor horrors, stalk round the invader's march—but the savage propensity to erase the traces of learning, and to obliterate the very memory of civilization by which the English invasion was disgraced, was in some degree peculiar to that people.

In the ruder cruelties of war, England suffered from the Norman invaders as much—perhaps more—than Ireland; but when the sullen and brute bravery of the Saxon was struck down, there remained nothing to render the invaders insecure; and, what was of still greater value to the natives, there remained nothing to arouse their jealousy or shame their ignorance. The fusion of races so indistinctly marked, when their interests became identical, required only the progress of time. But in Ireland the footing on which the invader trod trembled with testimonies of his usurpation and his crimes. The saint's shrine, the violated sanctuary, the quiet retreat of refinement and learning, threw their disturbing shadows across his ruinous path, warning him that history would know him as a robber and a barbarian, and that posterity would avenge the wrongs he inflicted.

These solemn admonitions he could not brook. He felt he could only have security in their eternal silence. He felt that barbarous strength could not retain mastery where the minds of men had access to the light, and were capable of appreciating the truths it unfolded and the enduring power they contained. Hence the dark, demoralizing code for which no annals have a parallel. And, in the silence which followed, the voice of calumny was heard mocking at the ignorance that a tyranny so refined had produced, and claiming for its falsehoods, which there was no one left to expose, the name and character of history!

But though her manuscripts were consumed, her great men scattered, her temples closed, her monuments of civilization razed—her love of learning burned on in the heart of Ireland

unwatched and unfed, and, in 1813, when the free air was admitted, it gradually diffused itself through her; and when she shall stand forth strong and free, it will still be the heart of the old nation animating a frame of greater sinew, proportion, and beauty.

The enemies of Ireland were well aware that among the various sources from which nations collect and garner their wealth and power, there is perhaps none so fruitful and valuable as the talents of intellectual and educated men. Men of talent compute, combine, consolidate, and direct the isolated energies of nations. Conceiving a clear idea of the general good, they impart to the energies of the people the majestic and irresistible impulse which urges the latter to reach the final term of success. It is by them that salutary maxims are disseminated, and take root and fructify in the public mind. It is by them that the great virtues which animate the moral world are brought to a practical bearing, and men of inferior minds taught to act with superior wisdom. The education which Irish youths were certain to receive in the establishment at Clongowes was likely to call into existence that order of men who vindicate an ascendancy in society by the honorable and useful exercise of their own talents—an order whom the aristocracy naturally regard with mistrust, and denounce with abhorrence as rebels and levellers, incendiaries and conspirators—that is to say, patriots.

There is no question but well-regulated patriotism is little less than a divine virtue. The true patriot is an emblem of all beneficence. To patriotism may be traced the social and physical existence of every community of citizens established in the bonds of union and natural right. Everything which promotes a nation's internal safety and prosperity is the result of this national virtue, as exercised to the destruction of natural corruption. By patriotism the rapacity of government is checked, and the balance between the governor and the governed held with an even hand; by it, abuses in the political world are reformed and social happiness established; by it, just laws are enacted and equal rights recognized; by it, peace and all the blessings of religion and nature are extended to a whole people; and by the observation and practice of the social precept in a universal sense, the point of real utility is attained. Such is the beneficial aim and end of patriotism—such its immortal achievements. Taken literally, it is unlimited good to men on the broad scale of justice. It is the seed of a generous heart, ripened and brought to perfection by a

sound mind. It is a rare plant, the growth of worth and judgment. It is the essence of public morality, proved by fact. It has in view the happiness of the human race, according to that law which recommends equal beneficence to all men.

To patriotism—in the breast of a priest—Ireland is indebted for Clongowes College. To patriotism O'Connell was indebted for his astonishing popularity. Patriotism was the principle of his existence. All his faculties, all his endowments, all the gifts of his nature, and all the treasures of his memory were valued by him only as they were available for the advancement of his life's great purpose—the exaltation of Ireland. The love of his country glowed in the core of his heart. It was with him no passing fantasy of youth—no flower of sentiment withering in the wintry wind of a selfish and sordid world; it was the principle of his vitality, the spring of all his efforts, the perennial inspiration of his imperishable hopes. His humble countrymen, shrewd observers of personal character, were profoundly convinced of this fact.

A deputation from the manufacturers of the Liberties of Dublin waited upon O'Connell at his house in Merrion-square, on the 14th January, 1814. Their object was to present him with a piece of plate in testimony and commemoration of his general services to his country. The cup, which had been executed by an artist named Mullan of College green, was a splendid and elaborate piece of workmanship, glittering and crowded with *bassi-relievi*. On one side was the following inscription:

“Presented, by the manufacturers of the Liberty of the city of Dublin, to Daniel O'Connell, Esq., as a token of their esteem for his public and private virtues and transcendent abilities, displayed on all occasions for the welfare of our common country.” A harp and a broken chain, a scroll and a pen, a book and a lamp, a caduceus and a scale of justice, together with a shield emblazoned with the armorial bearings of O'Connell, were seen grouped, and contrasted picturesquely on the reverse.

O'Connell received the deputation in his study, accompanied by two young boys, whom he introduced to them as his sons. The comely boys and the sturdy artizans shook hands cordially and affectionately; when one of the deputation unfolding a scroll read the following words: “Sir, please to accept, from the manufacturers of the Liberty of the city of Dublin, a silver cup as a token of their confidence and esteem; it is the widow's mite, yet they hope not the less acceptable, as it overflows with their affections.

"They value equally your private worth and public transcendent abilities, evinced on all occasions for the good of our common country. May your days be long and happy in your honorable professional pursuits, so that your children's children may unite with ours in greeting you, for handing down to posterity unsullied those virtues and talents which we all so much admire. We are, with respect, your faithful, humble servants—J. Talbot, C. Dowdall."

O'Connell's reply was very characteristic: "Fellow-countrymen," he said, "you make me proud—you make me very vain. You call this the token of your esteem and your confidence. You offer it as the pledge of your affections. My Irish heart swells with grateful acknowledgments. It prizes your gift beyond all that princes or powers could bestow. How fondly you overrate me—I have not talents, I have not services. But I have a heart devoted to the civil and religious liberties of our common country. Your kindness confirms and exalts that devotion; and sooner shall my heart cease to vibrate than forsake the cause of conciliation and cordiality, or abandon the wish and the hope for the re-establishment of the independence of Ireland. You compare the situation of your manufactures to the widow's state. Alas! your country is widowed too. Manufactures and freedom equally require a resident and national legislature. Before 1782, Ireland had neither manufactures nor freedom. Legislative independence gave her both; and as they were created by the genius of the Irish constitution, so they can revive again only under the same powerful influence. My gratitude to the manufacturers will be best evinced if I can awake the people of Ireland to hope for a repeal of the Union. If they once entertain hope, success will not be remote or difficult. The nations of Europe are bursting their bondage; shall Ireland alone remain accursed? Yes, she is accursed in the insane dissensions of her inhabitants. But she may become a nation again if we all sacrifice our parricidal passions, prejudices, and resentments on the altar of our country. Then shall your manufactures flourish and Ireland be free. To hold a place in your esteem, confidence, and affection, and to merit it by the honesty of my wishes for the welfare of our country is the first ambition of, fellow-countrymen, your devoted and grateful servant—Daniel O'Connell."

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